

91



POOR-LAW BOARD
ORDERS.

PUBLIC HEALTH AND LOCAL GOVERNMENT.

NEW WORKS

BY

WILLIAM CUNNINGHAM GLEN, Esq.,

OF THE MIDDLE TEMPLE, BARRISTER-AT-LAW, AND OF THE POOR LAW BOARD,

Published by

MESSRS. BUTTERWORTH, 7, FLEET STREET, LONDON,

Law Publishers to the Queen's Most Excellent Majesty.

1 Vol. 12mo, price 12s., cloth,

THE LAW RELATING TO

PUBLIC HEALTH AND LOCAL GOVERNMENT,

IN RELATION TO SANITARY AND OTHER MATTERS.

TOGETHER WITH THE

PUBLIC HEALTH ACT, 1848, THE LOCAL GOVERNMENT
ACT, 1858, AND THE INCORPORATED ACTS.

BY WILLIAM CUNNINGHAM GLEN,

BARRISTER-AT-LAW, AND OF THE POOR LAW BOARD.

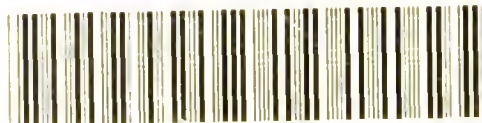
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may be read and referred to as one continuous Act. . . . The author is well known on the Poor Law and kindred topics, and their accuracy and completeness of this new enterprise. . . . He has embodied in the decisions to this time, which have been very numerous."—*Law Times*, Nov. 6, 1858.

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"As expositions of the several Acts mentioned in the above title we regard this as a very useful work. It is clearly, succinctly, and ably written, and will prove a safe and unerring guide in the administration of this branch of our Municipal Government."—*Standard*, Jan. 6, 1859.

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CONSOLIDATED AND OTHER ORDERS

OF

The Poor Law Commissioners

AND

The Poor Law Board;

TOGETHER WITH

THE GENERAL ORDERS RELATING TO

Poor Law Accounts;

THE STATUTES RELATING TO THE ORDERS, AUDIT OF ACCOUNTS,
APPEALS, AND THE PAYMENT OF PARISH DEBTS.

WITH EXPLANATORY NOTES ELUCIDATING THE ORDERS AND THE
DECISIONS THEREON; TABLES OF STATUTES, CASES,
AND INDEX.

BY

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KNIGHT AND CO., 90, FLEET STREET,

Publishers by Authority to the Poor Law Board.

1859.



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TO
THE RIGHT HONOURABLE
SIR GEORGÈ CORNEWALL LEWIS, BART., M.P.,
(Late Chancellor of Her Majesty's Exchequer, and formerly one
of the Poor Law Commissioners,)

WITH SENTIMENTS OF THE HIGHEST RESPECT,
AND
IN ACKNOWLEDGMENT OF HIS COURTESY AND CONSIDERATION
DURING THEIR OFFICIAL INTERCOURSE,

THIS WORK,
EMBRACING THE ORDERS OF
The Poor Law Commissioners and the Poor Law Board,
IS,

WITH HIS PERMISSION, DEDICATED

BY HIS FAITHFUL SERVANT,

WM. CUNNINGHAM GLEN.



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THE CONSOLIDATED ORDER.



*To the Guardians of the Poor of the several Unions
named in the Schedule hereunto annexed ;*

*To the Churchwardens and Overseers of the several
Parishes and Places comprised within the said
Unions ;*

*To the Clerk or Clerks to the Justices of the Petty
Sessions held for the Division or Divisions in
which the Parishes and Places comprised within
the said Unions are situate ;*

And to all others whom it may concern.

WE, the Poor Law Commissioners, in pursuance of the authorities vested in Us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales,*" and by all other Acts amending the same, do hereby rescind every Order, whether General or Special, heretofore issued by the Poor Law Commissioners to the Unions named in the Schedule hereunto annexed, which relates to the several subjects herein provided for, except so far as the same may have related to the apprenticeship of any poor person not yet completed, or may have required or authorized the appointment of any officer, or the giving of any security, or the making of any contract not yet executed, or the making of any orders by the Guar-

dians for contributions and payments not yet obeyed, or may have defined the salaries of any officers, or have prescribed the districts within which the duties of any officer shall be performed, or may have provided for the class of paupers or their number to be received into any particular Workhouse, or may have provided for the election of Guardians in any case where such election shall not have been completed when this Order shall come into force, and except the Order regulating the mode of election of Guardians, bearing date the 6th day of March, 1846, and addressed to the Guardians of the Poor of the Nottingham Union.

And We do hereby Order, Direct, and Declare, with respect to each of the said Unions, as follows :—

ELECTION OF GUARDIANS (*a*).

Article 1.—The Overseers of every Parish in the Union shall, before the 26th day of March in every year, distinguish in the rate-book the name of every ratepayer in their parish who has been rated to the relief of the poor for the whole year immediately preceding the said day, and has paid the poor-rates made and assessed upon him for the period of one whole year, except those which have been made or become due within the six months immediately preceding the said day (*b*).

(*a*) With reference to the division of parishes into wards, under the 7 & 8 Vict. c. 101, s. 19, for the purposes of the election of Guardians, see the form of order, in such case, *post*.

(*b*) By the 4 & 5 Wm. IV. c. 76, s. 40, and the 7 & 8 Vict. c. 101, ss. 15, 16, the following are the qualifications required to entitle a person to vote at an election of Guardians :—

1. In the character of ratepayer,—no person shall be deemed a ratepayer, or be entitled to vote, or do any other act, matter, or thing as such, under the provisions of the Act, unless he shall have been rated to the relief of the poor for the whole year immediately preceding his so voting or otherwise acting as such ratepayer, and shall have paid the parochial rates and assessments made and assessed upon him for the period of one whole year, as well as those due from him at the time of so voting or acting, except such as shall have been made or become due within six months immediately preceding such voting or acting. (4 & 5 Wm. IV. c. 76, s. 40.) But such parochial rates and

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Art. 2.—The Clerk shall at every future annual election of Guardians perform the duties hereby imposed upon him, and all other duties suitable to his office which it may be requisite for him to perform in conducting and completing such election; and in case the office of Clerk shall be vacant at the time when any duty relative to such election is imposed on the Clerk by this Order, or in case the Clerk, from illness or other sufficient cause, shall be unable to discharge such duties, the Guardians shall appoint some person to perform such of the said duties as then remain to be performed, and the person so appointed shall perform such duties (*c*).

assessments shall be deemed to extend only to rates made for the relief of the poor. (7 & 8 Vict. c. 101, s. 16.)

2. In the character of owner,—no owner of property shall be entitled to vote as such, either in person or proxy, during the year following the 25th March in any year unless before the first day of February next preceeding such 25th day of March he had given the statement required by the 4 & 5 Wm. IV. c. 76, s. 40 (as to which, see *post*, p. 10), signed by him, nor unless such statement contain a description of the nature of the interest or estate he may have in such property, and a statement of the amount of all rent-service (if any) which he may receive or pay in respect thereof, and of the persons from whom he may receive or to whom he may pay such rent-service. (7 & 8 Vict. c. 101, s. 15.)

3. In the character of proxy,—no person shall be entitled to vote as proxy until fourteen days after he have made his claim so to vote in the manner required by the 4 & 5 Wm. IV. c. 76, s. 40.

The following is the scale of voting, for both owners and rate-payers:—

If the property in respect of which the person is entitled to vote be rated upon a rateable value of less than £50, he shall have *one vote*.

If it amount to £50, and be less than £100, *two votes*.

If it amount to £100, and be less than £150, *three votes*.

If it amount to £150, and be less than £200, *four votes*.

If it amount to £200, and be less than £250, *five votes*.

If it amount to or exceed £250, *six votes*. (7 & 8 Vict. c. 101, s. 15.)

See also 33 O. C. March 44, p. 58, and 24 O. C. (N. S.) 60, on this subject.

(*c*) With regard to the officers who are to conduct the election, see Art. 202, No. 13, as to the Clerk, and Art. 215, No. 13, as to the Relieving Officers.

Art. 3.—The Guardians shall, before or during every such election, appoint a competent number of persons to assist the Clerk in conducting and completing the election in conformity with this Order; but if the Guardians do not make such appointment within the requisite time, the Clerk shall take such measures for securing the necessary assistance as he may deem advisable.

Art. 4.—The persons appointed under Article 3 shall obey all the directions relative to the conduct of the election which may be given by the Clerk for the execution of this Order.

Art. 5.—The Overseers of every Parish in the Union, and every Officer having the custody of the poor-rate books of any such Parish, shall attend the Clerk at such times as he shall require their attendance, until the completion of the election of Guardians, and shall, if required by him, produce to him such rate-books, and the registers of owners and proxies, together with the statements of owners, and appointments and statements of proxies, and all books and papers relating to such rates in their possession or power (*d*).

Provided that, where any register of owners shall have been prepared in any Parish containing a population exceeding two thousand persons, it shall not be necessary to produce the statements of owners.

Art. 6 (*e*).—The Clerk shall prepare and sign a notice, which may be in the Form marked (A.) hereunto annexed, and which shall contain the following particulars:—

- 1st. The number of Guardians to be elected for each Parish in the Union.
- 2nd. The qualification of Guardians (*f*).

(*d*) See 7 & 8 Viet. c. 101, s. 15, as to the annual scrutiny of the register of owners claiming to vote. See also 56 O. C. (N. S.) 76, as to the duty of the Overseers on receiving such claims.

(*e*) The provision in Article 6 does not apply to the sending the nominations, as Article 8 provides that they shall be sent *after*, not *on* the 14th March.

(*f*) The qualification for the office of elected Guardian con-

3rd. The persons by whom, and the places where, the Nomination Papers in respect of each Parish are to be received, and the last day on which they are to be sent.

4th. The mode of voting in case of a contest, and the days on which the Voting Papers will be delivered and collected.

5th. The time and place for the examination and casting up of the votes.

And the Clerk shall cause such notice to be published on or before the 15th day of March, in the following manner:—

1st. A printed copy of such notice shall be affixed on the principal external gate or door of every Workhouse in the Union, and shall from time to time be renewed, if necessary, until the Ninth day of April.

2nd. Printed copies of such notice shall likewise be affixed on such places in each of the Parishes of the Union as are ordinarily made use of for affixing thereon notices of parochial business.

Provided that whenever the day appointed in this Order for the performance of any act relating to or connected with the Election of Guardians shall be a Sunday or Good Friday, such act shall be performed on the day next following, and each subsequent proceeding shall be postponed one day.

Art. 7.—Any person entitled to vote in any Parish may nominate for the office of Guardian thereof, himself, or any other person or number of persons (not exceeding the number of Guardians to be elected for such Parish), provided that the person or persons so nominated be legally qualified to be elected for that office (*g*).

sists in being rated to the poor-rate of some parish or parishes in the Union, on a rental or annual value not exceeding £40. (See 4 & 5 Wm. IV. c. 76, s. 38.) A rating under the 17 Geo. II. c. 38, s. 12, will suffice. (See *Reg. v. St. Marylebone*, 14 J. P. 559, in which it was held that such a rating was sufficient to acquire a settlement.)

(*g*) A nomination paper once sent in to the clerk, or to the

Art. 8.—Every nomination shall be in writing in the Form marked (B.) hereunto annexed, and be signed by one person only, as the party nominating, and shall be sent after the *Fourteenth* and on or before the *Twenty-sixth (h)* day of March, to the Clerk, or to such person or persons as may have been appointed to receive the same; and the Clerk or such person or persons shall, on the receipt thereof, mark thereon the date of its receipt, and also a number according to the order of its receipt; provided that no nomination sent before the Fifteenth or after the said Twenty-sixth day of March shall be valid.

Art. 9.—If the number of the persons nominated for the office of Guardian for any Parish shall be the same as or less than the number of Guardians to be elected for such Parish, such persons, if duly qualified, shall be deemed to be the elected Guardians for such Parish for the ensuing year, and shall be certified as such by the Clerk under his hand as hereinafter provided in Article 22.

Art. 10.—But if the number of the duly qualified persons nominated for the office of Guardian for any Parish shall exceed the number of Guardians to be elected therein, the Clerk shall cause Voting Papers in the Form marked (C.) hereunto annexed to be prepared

person appointed to receive it, cannot be withdrawn; and a person having once nominated the full number of persons he is entitled to nominate, *i. e.* the number to be elected as Guardians for the particular parish, cannot by a subsequent document nominate other persons; for his power to nominate was exhausted by the first nomination, and he cannot afterwards stultify his act any more than he can withdraw his nomination.

(h) See *Reg. v. Westbury-on-Severn*, 4 El. & Bl. 314, and 18 J.P. 758; *S.C. nom. Reg. v. Poor Law Commissioners*, 1 Jur. (N.S.) 251, as to the 26th falling on a Sunday, with reference to the proviso to Article 6. In that case the 26th March fell on a Sunday, and a nomination paper dated the 25th was delivered to the Clerk on the 26th, which the Clerk rejected. The Court held, that the paper was delivered in due time, and might be treated as a delivery on the Monday following. See also *Rawlins v. West Derby*, 15 L. J. R. (N. S.), C. P. 70, in which it was held, that a notice under 6 Vict. c. 18, s. 4, might legally be given on a Sunday when the 20th of June fell on that day.

and filled up, and shall insert therein the names of all the persons nominated, in the order in which the Nomination Papers were received, but it shall not be necessary to insert more than once the name of any person nominated.

Art. 11.—The Clerk shall on the *Fifth* day of April cause *one* of such Voting Papers to be delivered by the persons appointed for that purpose, to the address in such Parish of each ratepayer, owner, and proxy qualified to vote therein.

Art. 12.—If the Clerk consider that any person nominated is not duly qualified to be a Guardian, he shall state in the Voting Paper the fact that such person has been nominated, but that he considers such person not to be duly qualified.

Art. 13.—If any person put in nomination for the office of Guardian in any Parish shall tender to the Officer conducting the election his refusal, in writing, to serve such office, and if in consequence of such refusal the number of persons nominated for the office of Guardian for such Parish shall be the same as or less than the number of Guardians to be elected for such Parish, all or so many of the remaining Candidates as shall be duly qualified shall be deemed to be the Elected Guardians for such Parish for the ensuing year, and shall be certified as such by the Clerk under his hand, as hereinafter provided in Art. 22 (*i*).

(*i*) See the 5 & 6 Vict. c. 57, s. 9, which enacts, that if any person put in nomination for the office of Guardian tender to the officer conducting the election of Guardians, his refusal, in writing, to serve such office, the election of Guardians, so far as regards such person, shall be no further proceeded with. In pursuance of this provision, the refusal need not be personally tendered to the officer conducting the election. If it be in writing, and be sent so as to reach the officer in proper time, the section would be complied with; and it seems that it cannot be tendered after the voting papers have been collected, as the election is then complete, though the result may not be ascertained till afterwards. It is, moreover, not competent for a person to recall or withdraw his refusal to serve, or to prevent its legal effect in staying further proceedings in regard to the election.

Art. 14.—Each Voter shall write his initials in the Voting Paper delivered to him against the name or names of the person or persons (not exceeding the number of Guardians to be elected in the Parish) for whom he intends to vote, and shall sign such Voting Paper; and when any person votes as a proxy, he shall in like manner write his own initials and sign his own name, and state also, in writing, the name of the person for whom he is proxy.

Art. 15.—Provided that, if any Voter cannot write, he shall affix his mark at the foot of the Voting Paper in the presence of a witness, who shall attest the affixing thereof, and shall write the name of the Voter against such mark, as well as the initials of such Voter against the name of every Candidate for whom the Voter intends to vote.

Art. 16.—If the initials of the Voter be written against the names of more persons than are to be elected Guardians for the Parish, or if the Voter do not sign or affix his mark to the Voting Paper, or if his mark be not duly attested, or his name be not duly written by the witness, or if a proxy do not sign his own name, and state in writing the name of the person for whom he is proxy, such Voter shall be omitted in the calculation of votes.

Art. 17.—The Clerk shall cause the Voting Papers to be collected on the *Seventh* day of April, by the persons appointed or employed for that purpose, in such manner as he shall direct.

Art. 18.—No Voting Paper shall be received or admitted, unless the same have been delivered at the address in each Parish of the Voter, and collected by the persons appointed or employed for that purpose, except as is provided in Article 19.

Art. 19.—Provided that every person qualified to vote, who shall not on the *Fifth* day of April have received a Voting Paper, shall, on application before the *Eighth* day of April to the Clerk at his office, be entitled to receive a Voting Paper, and to fill up the same in the presence of the Clerk, and then and there to deliver the same to him.

Art. 20.—Provided also, that in case any Voting Paper duly delivered shall not have been collected, through the default of the Clerk, or the persons appointed or employed

for that purpose, the Voter in person may deliver the same to the Clerk before twelve o'clock at noon on the *Eighth* day of April.

Art. 21.—The Clerk shall, on the *Ninth* day of April, and on as many days immediately succeeding as may be necessary, attend at the Board Room of the Guardians of the Union, and ascertain the validity of the votes, by an examination of the rate-books, and the registers of owners and proxies, and such other documents as he may think necessary, and by examining such persons as he may see fit; and he shall cast up such of the votes as he shall find to be valid, and to have been duly given, collected, or received, and ascertain the number of such votes for each Candidate.

Art. 22.—The Candidates, to the number of Guardians to be elected for the Parish, who being duly qualified shall have obtained the greatest number of votes, shall be deemed to be the elected Guardians for the Parish, and shall be certified as such by the Clerk under his hand.

Art. 23.—The Clerk, when he shall have ascertained that any Candidate is duly elected as Guardian, shall notify the fact of his having been so elected, by delivering or sending, or causing to be delivered or sent, to him a notice in the Form (D.) hereunto annexed.

Art. 24.—The Clerk shall make a list containing the names of the Candidates, together with (in case of a contest) the number of votes given for each, and the names of the elected Guardians, in the Form marked (E.) hereunto annexed, and shall sign and certify the same. and shall deliver such list, together with all the Nomination and Voting Papers, which he shall have received, to the Guardians of the Union, at their next meeting, who shall preserve the same for a period of not less than two years (*k*).

(*k*) No one, whether he be a Guardian of the Union or not, will be entitled to inspect the nomination and voting papers after they have been delivered up by the Clerk, without the permission of the Guardians acting as a Board. The papers after being delivered to the Guardians become their property; and if an inspection of them be desired for any purpose, application should be

Art. 25.—The Clerk shall cause copies of such lists to be printed, and shall deliver or send, or cause to be delivered or sent, one or more of such copies, to the Overseers of each Parish.

Art. 26.—The Overseers shall affix, or cause to be affixed, copies of such list, at the usual places for affixing in each Parish notices of parochial business.

Art. 27 (l).—In case of the decease, necessary absence,

made to the Guardians to allow them to be inspected. If they refuse, and if there be any evidence of malpractice to justify an information under the 14 & 15 Viet. c. 105, s. 3, the production of the papers before the Justices can then be compelled by the ordinary process of a subpoena.

The 10 & 11 Viet. c. 109, s. 25, enacts that in no proceedings shall it be lawful to question the qualification or validity of the election of any person as a Guardian after the end of twelve months next following the election, or the time when the alleged disqualification or want of qualification of the person against whom such proceedings shall be directed shall have arisen; and 5 & 6 Viet. c. 57, s. 13, enacts, that no defect in the qualification or election of any person acting as a Guardian at a Board of Guardians, the majority of persons assembled at which shall be entitled to act as Guardians, shall be deemed to vitiate or make void any proceedings of such Board in which he may have taken part. The Court of Queen's Bench has decided that it will not issue a writ of *Quo warranto* to try the title of a Guardian of the poor. (*Ex parte Aston*, 6 A. & E. 784.) But it is enacted by sect. 8 of the same statute, that in case any question shall arise as to the right of any person to act as an elective Guardian, it shall be lawful for the Poor Law Board, *if they shall see fit*, to inquire into the circumstances of the case, and to issue such order or orders therein under their hands and seal as they may deem requisite for determining that question.

(l) The Commissioners have not set out in any Order now in force Forms for the Statement of Owners of Property, for the Appointment of Proxies, the Statements of Proxies, and the Register of those Statements and Appointments; they have, however, reconsidered those formerly prepared with reference to the alterations made by the Statute, 7 & 8 Viet. c. 101, and have stated that Forms to the following effect might be safely used:—

A.

Owner's Statement.

To the Churchwardens and Overseers of the Poor of the Parish of — in the County of —.

This — day of — 184 .

I, the undersigned, claim to be entitled to vote, according to

of the Nominations, Voting Papers, or other documents to the successor of the Clerk or person so dying, absenting himself, refusing or disqualified to act, shall, notwithstanding—

described, which is situated in the Parish of —, do hereby appoint — of — to vote as my Proxy in all cases wherein he may lawfully do so, under the provisions of the Statutes of the fifth year of the reign of his late Majesty King William the Fourth, and the eighth year of the reign of her present Majesty, relating to the Administration of the Laws for the Relief of the Poor. And I do hereby state, that the Description of the said Property is as follows; viz. (a).

—— Signature of Owner.

—— Address of Owner.

C.

Proxy's Statement.

To the Churchwardens and Overseers of the Poor of the Parish of — in the County of —.

This — day of — 184 .

I, the undersigned, having been appointed by — of —, Owner of the Property hereinafter described, which is situated in the Parish of —, to vote as his Proxy, under the provisions of the Statutes of the fifth year of the reign of his late Majesty King William the Fourth, and of the eighth year of the reign of her present Majesty, relating to the Administration of the Laws for the Relief of the Poor, do hereby give you Notice, that I am entitled to vote as such Proxy. I herewith transmit to you (b) — the writing under the hand of the said — appointing me such Proxy.

The following is a Description of the Property in respect of which the said — is entitled to vote as Owner, and in respect of which I am entitled to vote as his Proxy; viz. (c).

—— Signature of Proxy.

—— Address of Proxy.

The adoption of these Forms is not compulsory upon any Owner or Proxy, and, consequently, any Forms which may contain in substance the information therein set forth, which appears

(a) Describe the Property by its Name, Situation, or the Name of the Occupier, or any other Designation by which it may be identified. It is not necessary here to set out the description of the estate or interest of the Owner, nor the statement of the amount of rent received or paid by him.

(b) If the appointment itself be not sent, insert the words *an attested copy of*.

(c) Describe the Property by its Name, Situation, or the Name of the Occupier, or any other Designation by which it may be identified. It is not necessary here to set out the description of the estate or interest of the Owner, nor the statement of the amount of rent received or paid by him.

ing the terms of any notice issued, be as valid and effectual as if they had been delivered to such Clerk or person.

to be what is required by the Statutes, will be fully available for the purposes of the Election.

The Form of Register of Owners and Proxies is directed by the General Order as to the duties of Overseers, bearing date the 9th of May, 1842.—*Instr. Letter*, 1845.

The following memorandum was issued by the Poor Law Commissioners on the 31st December, 1844, with the view of conveying information in reference to the alteration in the law affecting the votes of Owners and Proxies, by the Act 7 & 8 Vict. c. 101, which requires that—

1. Every Owner, in order to be entitled to vote either as Owner or by Proxy, at the Election of Guardians, should, *before the 31st day of February*, have given to the Overseers a statement of his name and address, together with a description of the property in the parish for which he claims to vote. Such description must show the nature of the interest or estate he may have in such property; it must also show the amount of rent-service (if any) which he may receive or pay in respect of such property; and the names of the persons from whom he may receive, or to whom he may pay, such rent.

2. If this has been done, the Owner may vote himself, or he may vote by proxy; but if he vote by proxy, the proxy must, fourteen days at least before he votes, send to the Overseers the original, or an attested, copy of his appointment as proxy; together with a statement of the Owner's name and address, and the property in respect of which he claims to vote as proxy.

3. On or before *the 5th of February*, the Overseers of Parishes containing a population exceeding 2000, according to the last Census, are to prepare a registry of the names and addresses of the Owners and Proxies who have given the statement, or made the claim above referred to, before the 1st of the month.

4. This registry is to be open to the inspection of all persons any time between *the 5th and 10th of February*; and any Owner or Proxy who has given in his statement, or made his claim to vote, or any rate-payer, may object to the vote of an Owner, by delivering, before *the 15th of February*, a notice, in writing, of the grounds of his objection to the Clerk of the Guardians; and also at the address of the person objected to.

5. On or before *the 20th of February*, the Clerk is to provide for the revision of the list, so far as regards Owners objected to, which will be revised on some day between *the 24th of February and 1st of March*. Any objection to be held valid must be supported by the person objecting at the time of revision.

It may be useful to notice here the provisions contained in ss. 10 & 11 of the 5 & 6 Vict. c. 57, with regard to Guardians. The eleventh section enables the Poor Law Board to accept the re-

MEETINGS OF THE GUARDIANS (l).

Art. 28.—The Guardians shall upon the day of the week, and at the time of day, and at the place already appointed

signation of any person elected as a Guardian, tendered for any cause that they may deem reasonable. The following form is applicable in such case:—

I —, of —, being an elected Guardian for the — of —, in the — Union, in the County of —, do hereby for the following cause (*here state the cause*), tender my resignation of the said office of Guardian of the said — for the acceptance of the Poor Law Board. As witness my hand this — day of —, 18—.

— Witness.

Signature. —

By the 10th section it is enacted, that in every case in which no person shall be elected for the office of Guardian in any parish at any annual election of Guardians, the persons elected for the previous year *may* continue to act as Guardians until the next annual election. It is not compulsory upon a Guardian so to act, and the enactment does not enable Guardians to continue to act for more than *two* years after their election. If there be two Guardians or more to a parish, and one only is elected, neither of the old Guardians can act without a fresh election. If a Guardian should decline to act as such for the second year, before the Poor Law Board issue an order for a fresh election for the parish, it is necessary that the Guardian declining to act should sign a statement in the following form, declaratory of his intention not to continue to act as Guardian. If there should be an entire failure to elect Guardians for a parish, from whatever cause the failure arises, an order for a fresh election cannot be issued by the Poor Law Board until it is seen whether the old Guardians will continue to act.

To the Guardians of the Poor of the — Union, in the County of —.

I, —, of —, do hereby declare that I was elected for the office of Guardian in the (*parish or township*) of —, in the County of —, at the annual election of Guardians, in the month of —, in the year 18—, and, having been informed that no person has been elected at the election of Guardians for the present year in the said (*parish or township*), I do declare that it is not my intention to act hereafter as a Guardian for the same.

Signed, this — day of —, 18—.

— Witness.

(l) With respect to the division of Boards of Guardians into committees for the purposes of relief, and the appointment of district committees, see the respective orders, *post*.

for holding the ordinary meetings, hold an ordinary meeting once at the least in every week or fortnight for the execution of their duties ; and may, when they think fit, change the period, time, and place of such ordinary meeting, with the consent of the Commissioners previously obtained (*m*).

Art. 29.—The Guardians shall at the first meeting after the Fifteenth day of April, elect out of the whole number of Guardians a Chairman and a Vice-Chairman, who, provided they be Guardians at the time, shall continue respectively to act as such Chairman and Vice-Chairman for the Year next ensuing (*n*).

Art. 30.—The Guardians at any time may elect two Vice-Chairmen, and if such Vice-Chairmen be appointed at the same time, the Guardians shall determine their precedence ; according to which precedence one of the said Vice-Chairmen shall thenceforth preside and act as in the case when only one Vice-Chairman is elected (*o*).

Art. 31.—If a Chairman or a Vice-Chairman cease to be

(*m*) In every case of a change of meeting, whether as regards the day or period, *i. e.* from weekly to fortnightly, the consent of the Poor Law Board to the change must be obtained.

(*n*) Art. 31 provides for the case of a vacancy in the office of Chairman or Vice-Chairman. In some of the orders issued subsequent to 1847, this article has been slightly varied. Note, that these appointments must be made at the first meeting *after* the 15th April. See 14 & 15 Vict. c. 105, s. 2, as to the continuance in office of the old Board of Guardians until the 15th April inclusive, in each year, which, however does not apply to Guardians elected for parishes, in which relief to the poor is administered under a separate Board of Guardians, as St. Giles, Camberwell. If the day of ordinary meeting fall on the 15th day of April, the old Guardians will meet on that day, and the new on the next day of meeting thereafter. The ordinary practice is for the Chairman of the Guardians of the past year (if he be still entitled to act as Guardian) to take the chair at the commencement of the first meeting of the new Board of Guardians after the 15th April. If he then be re-elected Chairman, he will retain the chair ; or, in the event of any other Guardian being appointed to the office, he will resign the chair to such Guardian, if he be then present.

(*o*) As to the Vice-Chairman entitled to vote in the election of a District Auditor, see 7 & 8 Vict. c. 101, s. 32.

a Guardian, or refuse, or become incapable, to act as Chairman or Vice-Chairman, before the expiration of the term of office, the Guardians shall, within one month after the occurrence of the vacancy, refusal, or incapacity, elect some other Guardian to be Chairman or Vice-Chairman, as the case may be.

Art. 32.—Whereas no act of any meeting of the Guardians will be valid unless three Guardians be present and concur therein; if three Guardians be not present at any meeting, the Clerk shall make an entry of that fact in the minute-book, and the time for holding such meeting shall be deemed to have expired as soon as the said entry shall have been made. But one hour at least shall be allowed to elapse from the time fixed for the commencement of the meeting, before such entry shall be made (*p*).

Art. 33.—If three or four or more Guardians be present at any ordinary meeting, such three, or the majority of such four or more Guardians, may adjourn the same to the day of the next ordinary meeting, or to some other day previous to the next ordinary meeting.

Art. 34.—An extraordinary meeting of the Guardians may be summoned to be held at any time, upon the requisition of any two Guardians, addressed to the Clerk. Every such requisition shall be made in writing, in the Form (F.) herunto annexed, and no business other than the business specified in the said requisition shall be transacted at such extraordinary meeting.

(*p*) The 4 & 5 Wm. IV. c. 76, s. 38, provides that, “except where otherwise ordered by the Poor Law Commissioners, and also except for the purpose of consenting to the dissolution or alteration of any Union, or any addition thereto, or to the formation of any Union for the purposes of settlement or rating,—no *ex officio* or other Guardian of any such Board as aforesaid [Board of Guardians], shall have power to act in virtue of such office except as a member, and at a meeting of such Board.” And further, that “No act of any such meeting [of a Board of Guardians] shall be valid unless three members shall be present and concur therein.” If the meeting consist of only three Guardians, no act can be done by it if the Guardians are not unanimous. It may here be added, that it is illegal to pay any Guardian of the Poor out of any parish rate or fund for attending to the discharge of his duty as Guardian.

Art. 35.—Notice of every change in the period, time, or place of holding any meeting, and notice of the adjournment of any meeting, and notice of every extraordinary meeting, shall be given in writing to every Guardian. Every such notice shall be respectively in the Forms (G.), (H.), and (I.) hereunto annexed, and shall be given or sent by the Clerk to every Guardian, or left at his place of abode two days, if practicable, before the day appointed for the meeting to which it relates.

Art. 36.—If any case of emergency arise, requiring that a meeting of the Guardians should immediately take place, they, or any three of them, may meet at the ordinary place of meeting, and take such case into consideration, and may make an order thereon.

PROCEEDINGS OF THE GUARDIANS.

Art. 37.—At every meeting the Chairman, or in his absence a Vice-Chairman, shall preside; but if at the commencement of any meeting the Chairman and Vice-Chairman or Vice-Chairmen be absent, the Guardians present shall elect one of themselves to preside at such meeting as Chairman thereof, until the Chairman or a Vice-Chairman take the chair (*q*).

Art. 38.—Every question at any meeting consisting of more than three Guardians shall be determined by a majority of the votes of the Guardians present thereat, and voting on the question, [*and when there shall be an equal number of votes on any question, such question shall be deemed to have been lost*] (*r*).

(*q*) The Guardian elected as presiding chairman will sign the minutes of the last ordinary and of any other meeting, if they are read whilst he is in the chair. See Art. 41 (firstly), and note (*y*), p. 21. The chairman can of course, like any other Guardian, move a resolution for adoption by the Guardians, or propose an amendment to or second a resolution brought forward by some other Guardian. It may be added, that if the regular Chairman of the Guardians be present at any meeting, it is incumbent upon him to fill the chair so long as he is present; and that he cannot vacate it, and act as an ordinary member of the Board of Guardians at the meeting.

(*r*) The 12 & 13 Vict. c. 103, s. 19, has since enacted that,

Art. 39.—No resolution agreed to or adopted by the Guardians shall be rescinded or altered by them, unless some Guardian shall have given to the Board seven days' notice of a motion to rescind or alter such resolution, which notice shall be forthwith entered on the Minutes

“in the case of an equality of votes upon any question at a meeting of the Guardians of any Union or Parish, the presiding chairman at such meeting shall have a second or casting vote.” Article 38 may therefore be read without the words between the brackets, as the contingency of an equality of votes cannot arise if the presiding Chairman exercises his right to give a second or casting vote. The presiding Chairman is entitled to have his vote on any question recorded in the same manner as the vote of any other Guardian present at the meeting; and if the votes are then found to be equal, he will be entitled to give a second or casting vote. It may here be stated, as the question has been asked, that a Guardian must discharge the duties of his office in person, and that it is not competent for him to appoint a deputy to act for him, or to vote for him by proxy on any question at a meeting of the Guardians. The votes are taken by a show of hands, and the result declared by the Chairman after counting them; and it would seem, therefore, that a scrutiny of the votes then given cannot be made unless the result is called in question at the time, and the Chairman then acquiesces in the correctness of it. In taking the votes of the Guardians, the Poor Law Board think that the following should be the course of proceeding.—When the question is put to the meeting, the Chairman should take the votes of the Guardians present by a show of hands, and then declare the motion to be adopted or rejected, as the case may be. The Board think that if any Guardian disputes the correctness of the Chairman's decision, he is entitled to claim to have the names of the Guardians called over, and each Guardian's vote taken down by the Clerk with the view of counting them, and thus of testing the accuracy of that decision; if the result of that counting should be to reverse the Chairman's decision, the Board think that the question must be determined by the counting of the votes consequent upon the taking down of the names; but that any Guardian will be entitled to claim the vote of any Guardian who has held up his hand upon one side of the question to be counted on that side, even though, on calling the names, he may have given his vote the other way. This is in conformity with the practice of the House of Commons, where the rules are the result of long experience and are of recognized utility. (56 O. C. (N. S.) 78.)

After a division of the Board of Guardians on any motion duly proposed and seconded, the number of Guardians who voted for and against the motion should be recorded on the minutes; but

by the Clerk (*s*). Provided always, that this regulation shall not extend to any resolution which immediately concerns the allowance of relief to any person, or the punishment of any pauper, or to any resolution which the Commissioners may request the Guardians to re-consider or amend, or to any question of emergency (*t*).

it is not necessary that the names of the Guardians who voted should be entered on the minutes. The Chairman, if he intends to vote on the question before the Board of Guardians, should give his vote immediately after he has counted the votes of the other Guardians, and before he declares the numbers voting on each side from the chair. If he then finds that the votes are equal, he should give a second or casting vote. If, however, he should declare the numbers voting before he gives any vote himself, the Poor Law Board have stated that they think that in such case the Chairman's votes are not entitled to count. (44 O. C. (N. S.) 184.)

The following is a later decision of the Poor Law Board bearing on this point:—The Clerk of Croydon Union stated that a resolution was carried by six votes to five; but the Guardians doubted the correctness of this mode of stating the result of the voting, and wished to receive the opinion of the Poor Law Board. Before the Chairman's vote was given, the number of votes for and against the motion was equal; and as the Chairman did not give a second vote, the Clerk considered that the Chairman's vote could not be properly called a casting vote. In reply, the Board stated that they thought the Clerk correct. In the present instance the vote given by the Chairman in his capacity of Guardian was a casting vote in the former of these senses, as it turned an equality of votes into a majority. (57 O. C. (N. S.) 84.)

As to voting by ballot, see *Faulkner v. Elger*, 4 B. & C. 455.

If a motion intended to be submitted to the Guardians be illegal in its nature if carried, or if an illegal amendment to a legal motion be made, the Chairman is not bound to submit either to the vote. (3 O. C. 38.)

Further with regard to the votes of the Guardians, see note to Article 155, *post*.

(*s*) Thus if a notice to rescind a resolution be given at a meeting of the Guardians held on a Monday, the day for bringing the motion on for discussion will be the following Monday, as seven days' notice means one day inclusive and the other exclusive. (See *Reg. v. J.J. of West Riding*, 4 B. & A. 685, and *Reg. v. J.J. of Salop*, 8 A. & E. 173.) Any other notices of motion need not be entered on the minutes by the Clerk, unless a special direction be given by the Guardians in that behalf. (See note to Art. 155.)

(*t*) In some Unions it is the practice of the Clerk to send to

Art. 40.—The Guardians may, from time to time (as occasion may require), appoint a Committee to consider and report on any special subject, and such Committee may meet at such times and places as to them may seem convenient; but no act or decision of any such Committee shall of itself be deemed to be the act of the Guardians (*u*).

Art. 41.—At every ordinary meeting of the Guardians the business shall, as far as may be convenient, be conducted in the following order (*x*):—

Firstly.—The minutes of the last ordinary meeting, and of any other meeting which may have been held since such ordinary meeting, shall be read to the Guardians; and, in order that such minutes may be recognized as a record of the acts of the Guardians at their last meeting, they shall be signed by the Chairman presiding at the meeting at which such minutes are read, and an entry of the same having been so read shall be made in the minutes of the day when read (*y*).

the whole of the Guardians notice of any special business intended to be brought before the Board at a future meeting. Though it may be expedient to send such notices when it is considered desirable to have a full attendance of the Guardians during the discussion of the particular business, the practice will be found, as a general rule, to operate prejudicially to the interest of the Union, for it is found that the Guardians are generally less diligent in attending the Board when they know that only the ordinary relief business is to be transacted.

(*u*) The Guardians may, however, by a resolution adopting any report which may be made to them by a committee, constitute the recommendations in such report an act or decision of the Guardians. As regards the appointment of district committees for the purposes of relief, see the 5 & 6 Viet. c. 57, s. 7.

(*x*) The order of business indicated by this Article is not obligatory on the Guardians, but it will in general be found convenient.—*Instr. Letter*, 842. See also 44 O. C. (N. S.) 184.

It may be here stated that strangers have no right to be present at the meetings of the Guardians; the Guardians may, however, if they think fit, permit any person to be present at their meetings. On a stranger being directed to withdraw, he must do so forthwith; and if he refuse, the Guardians may use necessary force to remove him, and to that end may call in the aid of a police officer.

(*y*) The minutes are intended to be a true record of the pro-

Secondly.—The Guardians shall dispose of such business as may arise out of the minutes so read, and shall give the necessary directions thereon.

Thirdly (z).—They shall proceed to give the necessary

ceedings of the Board, and the confirmation of the minutes by the succeeding Boards will merely authenticate the accuracy of the record, without affecting the acts of the previous meeting, which in general require no subsequent confirmation.—*Instr. Letter.*

The minutes should always be copied into the fair minute-book in the intervals between the meetings of the Guardians, and be ready to be laid before the Board at the following meeting for the purpose of being read, and afterwards signed by the presiding chairman of that meeting.

It may be observed here that the reading over the minutes of the proceedings of the Guardians at the succeeding meeting, and their signature by the Chairman, are only intended to authenticate the entry as being a faithful record of what took place at the meeting to which they relate.

Art. 41 requires that the minutes shall be read; and though it is competent for any Guardian at the reading of them to call in question the correctness of the entry, he cannot raise again any discussion upon points determined in the resolutions as entered on the minutes.

(z) The fundamental principle with respect to the legal relief of the poor is, that the condition of the pauper ought to be, on the whole, less eligible than that of the independent labourer. The equity and expediency of this principle are equally obvious. Unless the condition of the pauper is on the whole less eligible than that of the independent labourer, the law destroys the strongest motives to good conduct, steady industry, providence, and frugality among the labouring classes, and induces persons, by idleness or imposture, to throw themselves upon the poor-rates for support. But if the independent labourer sees that a recurrence to the poor-rates will, while it protects him against destitution, place him in a less eligible position than that which he can attain to by his own industry, he is left to the undisturbed influence of all those motives which prompt mankind to exertion, forethought, and self-denial. On the other hand, the pauper has no just ground for complaint, if, at the same time that his physical wants are amply provided for, his condition should be less eligible than that of the poorest class of those who contribute to his support.—*Report of Poor Law Commissioners on Amendment of the Poor Laws*, p. 45.

The following observations may here be introduced on the subject of relief generally:—The function of the Guardian is to relieve destitution actually existing, and not to expend the money

directions respecting all applications for relief made since the last ordinary meeting, and also respecting the amount and nature of relief to be given and continued to the paupers then in the receipt of relief,

of the ratepayers in preventing a person from becoming destitute ; that is to say, they can only expend the poor-rates in supplying the destitute persons with actual necessities, such as food, clothing, or lodging, or the means of procuring food, clothing, or lodging temporarily, if the destitute person cannot be immediately received into the workhouse. Expenditure incurred for the purpose of setting a poor person up in trade, in purchasing tools or implements of trade for him, or replacing a horse or cow that may have died, redeeming goods from pledge, or purchasing goods seized for rent, replacing goods or furniture destroyed by fire, or for purposes of a like or similar nature, is illegal, and, if incurred, must be disallowed by the auditor. So also, if the expenditure be incurred in the education out of the Workhouse of an adult person, or in procuring an adult person to be taught a trade, such person not having whilst a minor been apprenticed in the manner directed by Articles 52-69, *post*.

The 18 & 19 Viet. c. 34, enables the Guardians to provide for the education of children in the receipt of outdoor relief.

The following observations may here be introduced regarding the relief of persons possessed of house or other property, who may be in circumstances of destitution so as to require relief :— Such persons may be unable, from some cause or other, to convert their property into money, or where they may be taking measures to do so the sale may not have been completed. Such cases ought to be dealt with according to the actual circumstances of the applicant at the time, and the relief given or withheld accordingly. The Guardians may in such cases require the applicant to sell his property, and apply the proceeds, as far as they will go, in the support of himself and his family before the poor-rates are permanently drawn upon for his maintenance ; or they may give the relief on loan, to be afterwards recovered from the applicant. See also note to Art. 88.

It may be stated, further, that the Guardians would not be legally justified in paying out of the poor-rate the subscriptions of poor persons to friendly societies, when such persons become unable to provide for the payment thereof out of their own resources.

If the application be for temporary relief only, the Guardians will order it to be given for such short period as they may consider the exigencies of the applicant require. If, on the other hand, the applicant be likely to remain permanently chargeable, they will extend the period for which they order it to be given ; but under no circumstances should the relief be ordered for a

until the next ordinary meeting, or for such other time as such relief may be deemed to be necessary.

Fourthly.—They shall hear and consider any application for relief which may be then made, and determine thereon (*a*).

longer period than six months. By limiting the relief to six months, the relieving officer will have to report the cases to the Guardians at least once in every half-year in his Application and Report Book; upon which occasion, and indeed whenever he reports an application for relief, he must enter in the book the full particulars of the case, and thus place before the Guardians on each Board-day the particulars of all the cases they will have to decide on that day.

The giving of relief in a case where the applicants are really destitute should not be delayed pending inquiry as to the mode of charging the cost of it. The primary duty is to relieve actual destitution existing in the Union; and the mode of charging such relief is altogether a distinct question, the solution of which depends upon the facts of each particular case. When doubt arises as to the fund or parish legally liable to bear the cost of it, the question may be submitted to the Poor Law Board in the manner for which the 11 & 12 Viet. c. 110, s. 4, and 12 & 13 Viet. c. 103, s. 12, provide.

(*a*) With respect to the administration of relief to the able-bodied, see the provisions of the general relief orders, *post*. It may be here stated that the Guardians cannot by a general direction authorize the Workhouse Master to give provisions to paupers waiting at the Workhouse for the decision of the Board upon their cases. If paupers so waiting are actually in need of immediate temporary relief, the Guardians can direct the Relieving Officer to apply such temporary relief as may be necessary, until a decision has been come to in respect of the case. It should also be stated that the Guardians cannot lawfully direct the Master of the Workhouse to provide them with refreshments from the Workhouse stores when attending meetings of the Board of Guardians; see 56 O. C. (N. S.) 80, in which the Poor Law Board stated that they had occasion to consider this question with reference to a disallowance made by an auditor of sums charged for the supply of refreshments to the Guardians when attending the meetings of the Board. "The Board are not able to find any legal authority to support such a charge. It appears to them that members of the Board of Guardians cannot be legally provided, at the cost of the poor-rate, with refreshments while engaged in the discharge of their duty at the Board, any more than they can be remunerated for

Fifthly.—They shall read the report of the state of the Workhouse or Workhouses, examine all books and accounts relative to the relief of the paupers of the Union, and give all needful directions concerning the management and discipline of the said Workhouse or Workhouses, and the providing of furniture and stores and other articles.

Sixthly.—They shall examine the Treasurer's account, and shall, when necessary, make orders on the Overseers or other proper authorities of the several Parishes in the Union, for providing such sums as may be lawfully required by the Guardians on account of the respective Parishes (*b*).

Seventhly.—They shall transact any such business as may not fall within any of the above classes (*bb*).

Art. 42.—When the Guardians have allowed relief in

the loss of time which they bestow upon the duties of their office, or the cost of their conveyance to attend the meetings of the Board; and as the expenditure is not in itself lawful, the Board are not aware of any order or resolution which they could issue to give validity to the practice." See also 3 O. C. p. 85, as to providing provender for the horses of the Guardians at the cost of the poor-rates.

This regulation does not absolutely require that the Guardians should hear personally the applications of the paupers, but nevertheless the Guardians should admit the paupers and allow them to be heard before the Board whenever any pauper may desire it.

(*b*) With respect to the Treasurer's balance, see Articles 202, No. 7, and 203, Nos. 3 and 4; and Art. 82, as to the contribution orders of the Guardians upon the Overseers. As regards the examination of the books referred to in this and preceding sections, no precise directions can be set out for the discharge of this duty. When the books are before the Guardians, they will, in general, be able to determine for themselves whether any defect or irregularity exists in the mode of keeping them, and whether they are in accordance with the regulations. An examination of this nature tends to make the officers careful in the discharge of this portion of their duty, and the Guardians informed of the working of the law, in regard to the administration of relief, and also as to their financial condition.

(*bb*) As to Boards of Guardians petitioning Parliament on subjects connected with their duties, see 56 O. C. (N. S.) 79.

the Workhouse to any applicant, a written or printed order for his admission therein, signed by the Clerk, shall be forthwith delivered to the applicant, or to any person on his behalf (c).

Art. 43 (d).—When the Guardians have allowed outdoor relief, in money or kind, to any applicant, the particulars

(c) The order of admission should be filled up by the Clerk, and if the applicant be present at the Board it should be given to him (or her) ; if not present, it may be given to the person who makes the application on his behalf. If neither the applicant nor his or her representative be present, the Relieving Officer may be required by the Board of Guardians to deliver the order. The Relieving Officer is empowered by Article 215, No. 6, *post*, to give an order of admission to the Workhouse in any case of sudden or urgent necessity, but no one but the Clerk can sign the order of admission when relief in the Workhouse is given in pursuance of an order of the Board of Guardians. The order should embrace the whole family of the applicant, if they are residing together, and are all destitute. But see note to Art. 88, on this subject.

(d) It is desirable that a pauper to whom the Guardians have ordered relief should be accurately informed, not only of the nature and amount of the relief, but of the period for which that relief is to be allowed. As regards the Relieving Officer, the insertion of the period seems a proper proceeding to prevent error or misconception on his part.

It is not necessary in all cases that some precise time should be inserted in the ticket. A definite period may be inserted in cases where there is no reasonable ground to suppose that the circumstances of the pauper will soon undergo any material alteration. In other cases the requirement of this article will be satisfied if the ticket be made conditional, and the time for which the relief is ordered be indefinitely expressed. Thus, the column might be filled up, "until further reported by the Relieving Officer," "whilst reported by the Medical Officer as being unable to work," etc.

With respect to the powers of the Relieving Officer to discontinue or vary upon his own authority, the amount of relief ordered by the Guardians in any case, see note to Article 215, No. 10.

When the Relieving Officer shall, in any special case, have departed from the order of the Guardians, the Guardians, when the report of his having so done is made to them, should either cancel the ticket or give a fresh one with an increased or diminished amount of relief, or they may make the period for which the relief is ordered conditional instead of specific.

of such relief shall be entered, by the proper Relieving Officer, in a ticket according to form (K.) hereunto annexed, and such ticket shall be delivered by him to the applicant, or to some person on his behalf.

CONTRACTS OF THE GUARDIANS.

Art. 44 (e).—All contracts to be entered into on behalf of the Union relating to the maintenance, clothing, lodging, employment, or relief of the poor, or for any other purpose relating to or connected with the general management of

(e) The Guardians should bear in mind that the 55 Geo. III. c. 137, and 4 & 5 Wm. IV. c. 76, s. 51, imposes heavy penalties on persons having the management of the poor if concerned in contracts for the supply of goods for the use of such poor. These enactments extend to any person who, either in his own name or in the name of any other person or persons, provides for his own profit any goods, materials, or provisions for the use of any Workhouse, or who may be concerned, directly or indirectly, in furnishing the same. Consequently, if the Guardians were to enter into a contract for the supply of goods with the partner of one of their number, the case would come within the statute, and the Guardian, whose partner supplied the goods, would be liable to the penalties enforced by the statute. But if the goods are supplied by the Guardian without profit to himself, *Skinner v. Buckee*, 3 B. & C. 6, would seem to decide that he would not incur any penalties.

There appears to be nothing illegal in an individual Guardian purchasing goods or old stores belonging to the Union, though his doing so might on principle be considered objectionable. Neither is a Guardian incapacitated from acting as the attorney of the Board of Guardians, or from transacting any professional business for any of the parishes in the Union. Nor is he liable to penalties for being concerned in a contract to supply *work* and *labour* in repairs to the Workhouse.

Concerning the validity of contracts made by or on behalf of any parish or Union, not in conformity with the regulations of the Commissioners, see 4 & 5 Wm. IV. c. 76, s. 49.

With reference to members of Boards of Guardians being concerned in contracts for the supply of goods to the Union, the Commissioners, in their Official Circular, No. 10, have stated that they are of opinion, that a Guardian, in supplying a contractor with milk consumed in the Workhouse, would be liable to the penalties imposed by the 55 Geo. III. c. 137, for being concerned *indirectly* in furnishing a supply of provisions for the use of the Workhouse.

the poor, shall be made and entered into by the Guardians.

Art. 45.—The Guardians shall require tenders to be made in some sealed paper for the supply of all provisions, fuel, clothing, furniture, or other goods, or materials, the consumption of which may be estimated, one month with another, to exceed ten pounds per month, and of all provisions, fuel, clothing, furniture, or other goods, or materials, the cost of which may be reasonably estimated to exceed fifty pounds in a single sum, and shall purchase the same upon contracts to be entered into after the receipt of such tenders (*f*).

Art. 46.—Any work or repairs to be executed in the Workhouse, or the premises connected with the Workhouse, or any fixtures to be put up therein, which may respectively be reasonably estimated to exceed the costs of

(*f*) Arts. 45–49 require the Guardians to purchase goods, etc., upon tender. The Commissioners are aware that the system of purchase by tender is sometimes productive of inconvenience, and that goods may occasionally be obtained on more advantageous terms without a recourse to this method. They believe, however, that on the whole it affords the best security to the public; and the practice of the administrative bodies which make the largest purchases of goods (*viz.* the Military and Naval Departments), strongly confirms them in this conclusion. Art. 49 allows of an exception being made in extraordinary cases, with the consent of the Commissioners.—*Instr. Letter*, April, 1842. The Guardians by these Articles are not bound to accept the lowest tenders given in, nor in the event of there being only one person tendering for the supply of a particular kind of goods are they bound to accept his tender. Moreover, they are not bound to accept any tender that may be sent in if they are not satisfied that it would be advantageous to the Union to do so, but may advertise again; or they may enter into a special contract, with the sanction of the Poor Law Board, under Art. 49. (See 3 O. C. 148.)

As to contracts of the Guardians not under seal, see *Paine v. Guardians of the Strand Union*, 15 L. J. R. (N.S.), M. C. 89; *Haigh v. Guardians of North Bierley Union*, 31 L. T. 213.

In the case of a trading company it has been held, that where a contract is essential to the purposes and objects of the company, it may be enforced against them, although it be not under seal. *Henderson v. Australian Royal Mail Steam Navigation Company*, 24 L. J. R. (N.S.), Q. B. 322.

fifty pounds in one sum, shall be contracted for by the Guardians, on sealed tenders, in the manner prescribed in Articles 45 and 47.

Art. 47.—Notice of the nature and conditions of the contract to be entered into, of the estimated amount of the articles required, of the last day on which tenders will be received, and the day on which the tenders will be opened, shall be given in some newspaper circulating in the Union, not less than ten days previous to the last day on which such tenders are to be received; and no tender shall be opened by the Clerk, or any Guardian, or other person, prior to the day specified in such notice, or otherwise than at a meeting of the said Guardians (*g*).

Art. 48.—When any tender is accepted, the party making the tender shall, in pursuance of these regulations, enter into a contract, in writing, with the Guardians, containing the terms, conditions, and stipulations mutually agreed upon, and whenever the Guardians deem it advisable, the party contracting shall find one or more surety

(*g*) The purpose of inserting Union advertisements in newspapers is to obtain the utmost publicity for them, and the Commissioners have stated, that they consider that the advertisements ought to be inserted in the newspaper which circulates the most widely among the class of persons who are likely to make the desired tenders, or to whom the advertisements may be in other respects addressed, and that the choice of a newspaper ought to be determined by these considerations without any reference to the opinions, either on the administration of the Poor Law, or any other subject which may have been expressed in the newspapers.—*Off. Cir.*, vol. 2, p. 238. If, after advertising, no tender be received, the Guardians should advertise again or contract with the former contractor, or any other respectable person, on the best terms they can make.

It will be observed that this Article is imperative in requiring the notices to be published in a newspaper. Of course, in addition to this, the Guardians, if they think fit, may cause printed placards to be posted throughout the Union, inviting tenders for the supply of goods for the Union; but if the latter course only were to be had recourse to, sufficient publicity would not be given, and tradesmen at a distance would consequently be precluded from tendering, and the Union in many cases be charged higher for articles supplied by resident tradesmen than would be charged if the articles were supplied by large dealers at a distance.

or sureties, who shall enter into a bond conditioned for the due performance of the contract, or shall otherwise secure the same (*h*).

Art. 49.—Provided always, that if from the peculiar nature of any provisions, fuel, clothing, furniture, goods, materials, or fixtures to be supplied, or of any work or repairs to be executed, it shall appear to the Guardians desirable that a specific person or persons be employed to supply or execute the same, without requiring sealed tenders as hereinbefore directed, it shall be lawful for such Guardians, with the consent of the Commissioners first obtained, to enter into a contract with the said person or persons and to require such sureties and securities as are specified in Art. 48.

Art. 50.—Every contract to be hereafter made by any Guardians, shall contain a stipulation requiring the contractor to send in his bill or account of the sum due to him for goods or work, on or before some day to be named in the contract.

Art. 51.—The Guardians shall fix some day or days, not being more than twenty-one days after the end of each quarter, for the attendance of contractors and tradesmen,

(*h*) These contracts and bonds, as well as any mortgage, instrument, or any assignment thereof, in pursuance of the rules, etc., of the Poor Law Board, are exempt from stamp duty. See 4 & 5 Wm. IV. c. 76, s. 86.

It may also be stated here, that a contract entered into by the Guardians which is not in conformity with the foregoing regulations, is not in itself void, but only voidable if the Poor Law Board shall so direct. See 4 & 5 Wm. IV. c. 76, s. 49.

Every receipt which is given by a Board of Guardians for the payment of money, is liable to stamp duty, unless it be such a receipt as is directed to be given or taken by the 4 & 5 Wm. IV. c. 76, or by any order or regulation of the Poor Law Commissioners or of the Poor Law Board.

The acceptance of tenders is not sufficient; for in the absence of a written contract under seal, the Guardians would have no redress against the person tendering. The proper course is for the Guardians to have the contracts ready when the tenders are opened, and to require the persons tendering to attend and execute them, and the Guardians should then cause the Union seal to be affixed.

Further on this point, see *Hull v. Petch*, 10 Exch. Rep. 610.

or their authorized agents, and the Clerk shall notify such day to every contractor or tradesman to whom money may be due, or to his agent, or he shall, under the direction of the Guardians, cause the same to be advertised in some newspaper (i).

APPRENTICESHIP OF PAUPER CHILDREN.

PARTIES (j).

Art. 52.—No child under the age of nine years, and no child (other than a deaf and dumb child) who cannot read

(i) The intention of this rule is, that the Guardians shall require the attendance of the contractors before the Board on a fixed day in each quarter to receive payment of their bills for goods supplied to the Union during the previous quarter. See also Art. 220 as to the transmission of money or cheques by the Clerk to the persons for whom such money (or cheques) is intended. Article 51 is confined in its terms to contractors and tradesmen; but the Guardians can require their officers to attend to receive their salaries without reference to this regulation.

(j) The Guardians are not restricted by the statute or by the regulations contained in this order from binding, as apprentices, children who are not actually in the receipt of relief, or whose parents may not be in the receipt of relief as paupers at the time of the binding. Such children as may ordinarily be considered "poor children," are within the scope of the provisions respecting the apprenticeship of pauper children. But the Poor Law Commissioners in the circular letter, accompanying the original apprenticeship order, stated that apprenticeship is a species of relief, and consequently can only be given subject to the regulations which may exist in any particular Union or Parish with regard to relief in such Union or Parish generally.

The object in framing these regulations has been to secure a careful attention on the part of the Guardians who are to bind out the children to the fitness and propriety of the step which is to affect permanently the future condition of these children, and a due performance afterwards by the masters of the duties which appear naturally to result from the relation of master and apprentice. The Commissioners added, however, that they by no means desired to express any opinion as to the propriety of the Guardians extending the practice of parish apprenticeship, and that they did not wish the Guardians in those parts of the country, where the system had not been generally pursued, to infer that they entertained any desire to promote its introduction in consequence of having issued the order to which the circular had reference.—*Instr. Letter*, 1 January, 1845.

and write his own name, shall be bound apprentice by the Guardians (*k*).

Art. 53.—No child shall be so bound to a person who is not a housekeeper, or assessed to the poor-rate in his own name (*l*).

Or who is a journeyman, or a person not carrying on trade or business on his own account ;

Or who is under the age of twenty-one ;

Or who is a married woman.

THE PREMIUM.

Art. 54.—No premium, other than clothing for the apprentice, shall be given upon the binding of any person above the age of sixteen years, unless such person be maimed, deformed, or suffering from some permanent bodily infirmity, such as may render him unfit for certain trades or sorts of work.

Art. 55.—Where any premium is given, it shall in part consist of clothes supplied to the apprentice at the commencement of the binding, and in part of money, one moiety whercof shall be paid to the master at the binding, and the residue at the termination of the first year of the binding.

TERM.

Art. 56.—No apprentice shall be bound by the Guardians for more than eight years.

CONSENT.

Art. 57.—No person above fourteen years of age shall be so bound without his consent.

And no child under the age of sixteen years shall be so bound without the consent of the father of such child ; or if the father be dead, or be disqualified to give such consent, as hereinafter provided, or if such child be a

(*k*) If the child be taught to read and write his or her own name only, it is considered that it will suffice under this Article.

(*l*) It will apparently suffice if the proposed master be a housekeeper without being a ratepayer, and *vice versa*.

bastard, without the consent of the mother, if living, of such child.

Provided, that where such parent (*m*) is transported beyond the seas, or is in custody of the law, having been convicted of some felony, or for the space of six calendar months before the time of executing the indenture has deserted such child, or for such space of time has been in the service of her Majesty, or of the East India Company, in any place out of the United Kingdom, such parent, if the father, shall be deemed to be disqualified as hereinbefore stated; and if it be the mother, no such consent shall be required.

PLACE OF SERVICE.

Art. 58.—No child shall be bound to a master whose place of business, whereat the child is to work and live, is distant more than thirty miles from the place in which the child is residing at the time of the proposed binding, or at the time of his being sent on trial to such master;

Unless in any particular case the Commissioners shall, on application to them, otherwise permit (*n*).

PRELIMINARIES TO THE BINDING (*o*).

Art. 59.—If the child whom it is proposed to bind

(*m*) If the parent or surviving parent be lunatic, the apprenticeship may take place without his or her consent, provided that all the other regulations with regard to apprenticeship contained in the order are duly observed.

(*n*) The distance will be measured, not by the nearest practicable road, but by a straight line from point to point on the horizontal plain, "as the crow flies." *Lake v. Butler*, 24 L. J. R. (N. S.), Q. B. 273; *Stokes v. Grissell*, 23 L. J. R. (N. S.), C. P. 141; *Reg. v. Saffron Walden*, 9 Q. B. 76; 15 L. J. R. (N. S.), M. C. 115.

(*o*) With regard to the allowance of indentures of apprenticeship by justices, the Poor Law Board, in answer to an inquiry, have stated that the 7 & 8 Vict. c. 101, s. 12, expressly provides that "it shall be lawful for the Guardians of such Union or Parish respectively to bind any such poor child to be an apprentice, and in such case the indentures of apprenticeship shall be executed by the said Guardians, and shall not need to be allowed, assented to, or executed by any justice or justices of the peace;"

apprentice be in the Workhouse, and under the age of fourteen years, the Guardians shall require a certificate in writing from the Medical Officer of the Workhouse as to the fitness in regard to bodily health and strength of such child to be bound apprentice to the proposed trade, and shall also ascertain from the Master of the Workhouse the capacity of the child for such binding in other respects.

Art. 60.—If the child be not in the Workhouse, but in the Union by the Guardians of which it is proposed that he shall be bound, the Relieving Officer of the district in which the child is residing shall examine into the circumstances of the case, the condition of the child, and of his parents, if any, and the residence of the proposed master, the nature of his trade, the number of other apprentices, if any, then bound to him, and generally as to the fitness of the particular binding, and shall report the result of his inquiry to the Guardians.

Art. 61.—If in any case within Article 60 the Guardians

consequently it is not required that the indenture should be allowed by the justices of either county. The Board, moreover, consider that since the passing of the 7 & 8 Vict. c. 101, s. 12, and the issuing by the Poor Law Commissioners, under the authority of that provision, of the orders and regulations on the subject of parish apprenticeship, it is not necessary that the justices should certify, in accordance with the 4 & 5 Wm. IV. c. 76, s. 61, upon an indenture entered into by a Board of Guardians appointed under that Act, that the rules and regulations have been conformed to in the binding. The 7 & 8 Vict. c. 101, s. 12, in the case of a binding by the Guardians, expressly dispenses with the assent or allowance of justices: and it therefore seems, on a careful examination of the provisions bearing on the subject, that it is only in a case where such assent or allowance would still be required, that it is necessary that the justices should certify as to the fact of the rules of the Commissioners having been conformed to in the binding. The 4 & 5 Wm. IV. c. 76, s. 61, provides that the certificate "in question is to be in addition to such assent, consent, order, or allowance of justices." (56 O. C. p. 65.)

It has been held, with reference to this article, that the regulations it contains are directory, and that the omission to comply with them (if established) would not affect the validity of the indenture. *Reg. v. St. Mary, Bermondsey*, 2 E. & B. 809; 23 L. J. R. (N. S.), M. C. 1.

think proper to proceed with the binding, they shall, when the child is under the age of fourteen years, direct the Relieving Officer to take the child to the Medical Officer of the district, to be examined as to his fitness in respect of bodily health and strength for the proposed trade or business; and such Medical Officer shall certify in writing according to his judgment in the matter, which certificate shall be produced by the said Relieving Officer to the next meeting of the Guardians.

Art. 62.—If the child be not residing within the Union, the Guardians who propose to bind him shall not proceed to do so unless they receive such a report as is required in Article 60 from the Relieving Officer of the district in which such child is residing, and a certificate from some medical man practising in the neighbourhood of the child's residence to the effect required in Article 61.

Art. 63.—When it is proposed to give a premium other than clothing upon the binding of any person above the age of sixteen years, the Guardians shall require a certificate in writing from some medical practitioner, certifying that the person is maimed, deformed, or disabled, to the extent specified in such Article (*p*), and shall cause a copy of such certificate to be entered on their minutes before they proceed to execute the indenture.

Art. 64.—When such certificate, as is required by Articles 59, 61, 62, and 63, is received, or in case, from the age of the child, no such certificate is required, the Guardians shall direct that the child and the proposed master, or some person on his behalf, and, in case the child be under the age of sixteen, that the parent or person in whose custody such child shall be then living, attend some meeting of the Board to be then appointed.

Art. 65.—At such meeting, if such parties appear, the Guardians shall examine into the circumstances of the case; and if, after making all due inquiries, and hearing the objections (if any be made) on the part of the relatives or friends of such child, they deem it proper that the binding be effected, they may forthwith cause the indenture

(*p*) Article 61 is here referred to.

to be prepared, and, if the master be present, to be executed; but if he be not present, they shall cause the same to be transmitted to him for execution; and when executed by him, and returned to the Guardians, the same shall be executed by the latter, and shall be signed by the child, as provided in Article 67.

Art. 66.—If the proposed master reside out of the Union, but in some other Union or Parish under a Board of Guardians, whether formed under the provisions of the first recited Act, or of the Act of the twenty-second year of the reign of King George the Third, intituled “*An Act for the better Relief and Employment of the Poor*,” or of any local Act, the Guardians shall, before proceeding to effect the binding, communicate in writing the proposal to the Guardians of such other Union or Parish, and request to be informed whether such binding is open to any objection; and if no objection be reported by such Guardians within the space of one calendar month, or if the objection does not appear to the Guardians proposing to bind the child to be sufficient to prevent the binding, the same may be proceeded with; and when the indenture shall have been executed, the Clerk to the Guardians who executed the same shall send notice thereof in writing to the Guardians of the Union or Parish wherein the said apprentice is to reside.

INDENTURE (q).

Art. 67.—The indenture shall be executed in duplicate, by the master and the Guardians, and shall not be valid unless signed by the proposed apprentice with his name, or, if deaf and dumb, with his mark, in the presence of the said Guardians; and the consent of the parent, where requisite, shall be testified by such parent signing with his name or mark, to be properly attested, at the foot of the said indenture; and where such consent is dispensed with under Article 57, the cause of such dispensation shall be stated at the foot of the indenture by the Clerk.

(q) If the indenture be cancelled for any cause, the consent of the justices, under the 56 Geo. III. c. 139, s. 9, must be obtained.

Art. 68.—The name of the place or places at which the apprentice is to work and live shall be inserted in the indenture.

Art. 69.—One part of such indenture, when executed, shall be kept by the Guardians; the other shall be delivered to the master.

DUTIES OF THE MASTER OF A PAUPER APPRENTICE.

Art. 70.—And We do hereby prescribe the duties of the master to whom such poor child may be apprenticed, and the terms and conditions to be inserted in the said indenture, to be as follows:—

No. 1. The master shall teach the child the trade, business, or employment set forth in the indenture, unless the Guardians authorize the substitution of another trade, business, or employment.

No. 2. He shall maintain the said child with proper food and nourishment.

No. 3. He shall provide a proper lodging for the said child.

No. 4. He shall supply the said child with proper clothing during the term of the binding, together with the necessary provision of linen.

No. 5. He shall, in case the said child be affected with any disease or sickness, or meet with any accident, procure, at his own cost, adequate medical or surgical assistance, from some duly qualified medical man, for such child.

No. 6. He shall, once at least on every Sunday, cause the child to attend some place of divine worship, if there be any such within a reasonable distance, according to the religious persuasion in which the child has been brought up, so, however, that no child shall be required by the master to attend any place of worship to which his parents or surviving parent may object, nor, when he shall be above the age of sixteen, any place to which he may himself object.

No. 7. Where such parents or parent or next of kin desire it, he shall allow the said child to attend any Sunday or other school, which shall be situated

within the same parish, or within two miles distance from his residence, on every Sunday, and, if there be no such school which such child can attend, he shall, at some reasonable hour on every Sunday, allow any minister of the religious persuasion of the child to have access to such child for the purpose of imparting religious instruction.

No. 8. Where the apprentice continues bound after the age of seventeen years, the master shall, in every case, where the Guardians require him so to do, pay to such apprentice, for and in respect of every week that he duly and properly serves the said master, as a remuneration, a sum to be inserted in the indenture, or to be agreed upon by the Guardians and the said master when that time arrives, or, if they cannot agree, to be settled by some person to be then chosen by the said master and such Guardians, and, until such sum be agreed upon or settled, not less than one fourth of the amount then commonly paid as wages to journeymen in the said trade, business, or employment.

No. 9. The master shall, himself or by his agent, produce the apprentice to the Guardians by whom such apprentice was bound at their ordinary meeting next preceding the end of the first year of the binding, and before the receipt of the remainder of the premium, if any be due, and shall in like manner produce the said apprentice at some one of their ordinary meetings, to be held at or about the middle of the term, and whenever afterwards required to do so by the said Guardians: Provided, that if the apprentice reside out of the Union by the Guardians whereof he was bound, the apprentice shall be produced, as hereinbefore directed, to the Guardians of the Union or Parish, as described in Article 66, in which the apprentice may be residing.

No. 10. The master shall not cause the said apprentice to work or live more than ten miles from the place or places mentioned in the indenture, according to Article 68, without the leave of the Guardians

so binding him, to be given under their common seal: Provided, that such Guardians may in such license so to be given under their common seal, by express words to that effect, if they think fit, authorize the master, at any time during the residue of the term of the apprenticeship, to change the place of the abode or service of the apprentice, without any further application to them or their successors.

Art. 71.—These duties of the master set forth in Article 70 shall be enforced by covenants and conditions to be inserted in the indenture to be executed by him.

Art. 72.—The master shall also covenant, under a penalty to be specified in the covenant, not to assign or cancel the indenture, without the consent of the Guardians, under their common seal, previously obtained, and to pay to the said Guardians all costs and expenses that they may incur in consequence of the said apprentice not being supplied with medical or surgical assistance by the master, in case the same shall be at any time requisite.

Art. 73.—The indenture shall be made subject to the following provisos:—

No. 1. That if the master take the benefit of any Act for the relief of insolvent debtors or be discharged under any such Act, such indenture shall forthwith become of no further force or effect.

No. 2. That if, on a conviction for a breach of any one of the aforesaid covenants and conditions before a Justice of the Peace, the Guardians who may be parties to the said indenture declare by a resolution that the indenture is determined, and transmit a copy of such resolution, under the hand of their Clerk, by the post or otherwise, to the said master, such indenture shall, except in respect of all rights and liabilities then accrued, forthwith become of no further force or effect.

Art. 74.—Nothing contained in this Order shall apply to the apprenticing of poor children to the sea service (r).

(r) The following are the provisions of the Merchant Shipping

MODE OF OBTAINING MEDICAL RELIEF
BY PERMANENT PAUPERS.

Art. 75.—The Guardians shall, once at least in every year, cause to be prepared by the Clerk or Relieving Officers, a list of all such aged and infirm persons, and persons permanently sick or disabled as may be actually receiving relief from such Guardians, and residing within the district of each Medical Officer of the Union, and shall from time to time furnish to each District Medical Officer a copy of the list aforesaid.

Act, 1854 (17 & 18 Vict. c. 104), with respect to apprenticeship to the sea service :—

Sect. 141. All shipping masters appointed under this Act shall, if applied to for the purpose, give to any Board of Guardians, Overseers, or other persons desirous of apprenticing boys to the sea service, and to masters and owners of ships requiring apprentices, such assistance as is in their power for facilitating the making of such apprenticeships, and may receive from persons availing themselves of such assistance such fees as may be determined in that behalf by the Board of Trade, with the concurrence, so far as relates to pauper apprentices in England, of the Poor Law Board in England.

Sect. 142. In the case of every boy bound apprentice to the sea service by any Guardians or Overseers of the Poor, or other persons having the authority of Guardians of the Poor, the indentures shall be executed by the boy and the person to whom he is bound in the presence of, and shall be attested by, two Justices of the Peace, who shall ascertain that the boy has consented to be bound, and has attained the age of twelve years, and is of sufficient health and strength, and that the master to whom the boy is to be bound is a proper person for the purpose.

Sect. 143. All indentures of apprenticeship to the sea service shall be exempt from stamp duty, and all such indentures shall be in duplicate.

Sect. 144. Subject to the provisions hereinbefore contained, all apprenticeships to the sea service made by any Guardians or Overseers of the Poor, or persons having the authority of Guardians of the Poor, shall, if made in Great Britain, be made in the same manner and be subject to the same laws and regulations as other apprenticeships made by the same persons.

Further, upon the subject of the apprenticeship of pauper boys to the sea service, see the Circular of the Poor Law Board in the Appendix to 4th Annual Report, p. 29, which, however, was anterior to the above-mentioned statute and had reference to the 8 & 9 Vict. c. 116, and 13 & 14 Vict. c. 93.

Art. 76.—Every person whose name is inserted in such list shall receive a ticket in the Form (L.) hereunto annexed, and shall be entitled, on the exhibition of such ticket to the Medical Officer of his district, to obtain such advice, attendance, and medicines, as his case may require, in the same manner as if he had received an order from the Guardians; and such ticket shall remain in force for the time specified therein, unless such person shall cease to be in the receipt of relief before the expiration of such time (*s*).

RELIEF OF NON-SETTLED AND NON-RESIDENT POOR.

Art. 77.—If any Board of Guardians undertake to administer relief allowed to a non-settled pauper living within the Union for which they act, on behalf of the Officers, or of the Board of Guardians, of the Parish or Union in which such pauper is deemed to be settled, every such understanding shall be made in conformity with the rules and regulations of the Commissioners in force at the time (*t*).

(*s*) Arts. 75 and 76 are intended to facilitate the obtaining of attendance and medicines by the permanent paupers; a class whose destitution is acknowledged, and which necessarily includes the most helpless portion of the community.—*Instr. Letter*.

In the administration of medical relief to the sick poor, the objects to be kept in view are:—1. To provide medical aid for all persons who are really destitute; 2. To prevent medical relief from generating or encouraging pauperism; and with this view to withdraw from the labouring classes, as well as from the administrators of relief, and the medical officers, all motives for applying for or administering medical relief, unless where the circumstances render it absolutely necessary.

To entitle the person to medical relief under Article 76, his or her name must be actually on the list, and not merely the name of the head of the family (3 O. C. 14); and the Medical Officer ought not to discontinue his visits so long as the Guardians give a ticket entitling the pauper to permanent medical relief; as the Medical Officer's attendance is thereby required for the case while the ticket remains in force. (39 O. C. (N.S.) 106.)

(*t*) Arts. 77–80 neither permit nor forbid the allowance of non-resident relief in any case in which such relief is not now

Art. 78.—No money shall be transmitted to any Guardians or to any Officer of a Parish or Union, to be applied to the relief of any non-resident pauper, except in conformity with the provisions of this Order (*u*).

permitted, or is not now forbidden; nor do they prevent the Guardians from transmitting relief to a poor person who is non-resident, in cases where the same may lawfully be given, through any private channel or means other than the officers of another Union or Parish, however objectionable such a course may be. (See the Minute of the Commissioners on the relief of persons non-resident within their Union, dated 26th January, 1841, Appendix, No. A., 7th Annual Report, p. 106.) All that these Articles do is to require that, when the agency of another Board of Guardians is employed, certain rules shall be adhered to. Whether the Board of Guardians allowing the non-resident relief choose to employ that agency is a matter for their own consideration, and whether the Board of Guardians of the Union where the pauper resides choose to act in the capacity of agents, and direct their officers to administer the relief, is again a matter of choice. If two Boards do so agree to act together, these regulations must be observed, since no contract in opposition to them could be enforced by one party against the other, and the officers of the respective Unions are of course bound to act in conformity with law.—*Instr. Letter*, 21st December, 1844.

The provisions of the Order in regard to the administration of non-resident relief are compulsory so far as they go, and it does not depend on the choice of a Board of Guardians to adopt them or not; but they do not profess to direct that one Board shall undertake to be the agents of another Board whether they like to do so or not. It is also quite within the legal discretion of the Guardians to decide whether or not they will continue to allow non-resident relief to paupers belonging to the Union, or whether or not they will continue the agents of other Boards of Guardians, for the purpose of administering non-resident relief allowed to the paupers of such other Unions. If in any case in which non-resident relief may lawfully be granted, the Guardians of the Union where the pauper resides decline to administer non-resident relief for the Guardians of other Unions, some respectable agent in the parish where the pauper resides should be found to undertake to administer the relief weekly; and the Guardians on whose account it is given should repay the relief to the agent at the end of each quarter, by an order on the Union Treasurer or by some other means. Moreover, it should be borne in mind, that the regulation contemplates that the Guardians should give a special undertaking to relieve in the case of each pauper; and that it does not enable them to give a general authority to their Relieving Officers to relieve for other Unions when applied to.

(*u*) It will be seen by this Article that the officers of the Guar-

Art. 79.—No money shall be paid on account of any non-resident pauper to the Guardians or to the Officer of any Union or Parish in which the relief is administered by a Board of Guardians, except in one of the three following ways :—

dians are in effect prohibited from acting as the agents of any Board other than that whose officers they are. The inconveniences which have arisen from Relieving Officers so acting form the principal reasons on account of which the Commissioners thought it expedient to make this regulation. They state that they have found that Relieving Officers were apparently placed in an anomalous position, receiving orders as it were from more than one Board of Guardians, and often being liable in two ways for the relief of the same pauper ; that is to say, in their capacity of agent to some distant Board, and in their position as Relieving Officers of their own district in which that pauper resides. For reasons in some measure similar to those which apply to the Relieving Officers, and for others of a more general character, the prohibition is extended to any officer of a Union or Parish. It is always to be remembered that no undertaking to give relief to a pauper residing at a distance has any legal effect in lessening the obligation cast by the law on the Guardians and Officers of the spot where the pauper dwells or becomes destitute. The Board of Guardians at a distance may incur a moral responsibility by promising to provide for the case, and may transmit from time to time the means of subsistence ; but if by neglect or error, or peculation, those means fail, or owing to any change of circumstances become insufficient, it is on the authorities at the place where the pauper is that the weight of legal responsibility will fall. A voluntary act on the part of one person or one body does not remove the positive legal duty already cast on another. Much of the ambiguity on this head will cease when the regulations in Articles 77-80 are acted upon, since the Relieving Officer can only act as the officer and agent of his own Board, though some misapprehension is inseparable from any system of non-resident relief. A further advantage contemplated is the removal of those opportunities for fraud and for wilful detention of money thus entrusted to a distant officer which have so often acted as a temptation and a snare to persons who would otherwise have preserved an honest and trustworthy character. And as the money thus misapplied does not come into the officer's hands in the capacity of officer of the Parish or Union in which he acts, but as a private agent for distant Boards and for Overseers of other Parishes in general, in case of peculation, such money could not be recovered from his sureties, since they were answerable for him only in the capacity of Relieving Officer. Another benefit will be the avoiding of errors and misstatements

No. 1. By post-office order payable to the Treasurer of the Union or Parish to the account of which the money is to be paid, or to the banker of such Treasurer.

No. 2. By cheque or order payable to the Treasurer of such Parish or Union, or to his order.

No. 3. By cheque payable to bearer (where the same may lawfully be drawn), and crossed as payable through the Treasurer of such Parish or Union, or his banker, or through the agent of such Treasurer or banker; and every such cheque shall be so crossed by the Clerk before it is signed by the presiding Chairman.

Art. 80.—Every account for relief duly administered to non-resident poor shall be discharged by the Guardians, within two calendar months from the receipt of such account, by the transmission of the amount due, in one of the modes prescribed in Art. 79 (x).

of a statistical nature which occur, in consequence of the same persons and the same relief being charged in the accounts of two Unions. The Commissioners feel satisfied that these regulations will insure a better understanding of the duties and responsibilities connected with the relief of non-resident poor, that they will act as a powerful obstacle to peculation and fraud, and that they will prevent error in the returns of expenditure and the enumeration of paupers, which are otherwise unavoidable. The relief of non-resident and non-settled poor administered under this order will, of course, become the subject of correspondence between the Boards of Guardians of the Unions where they are relieved and where they reside, and this correspondence will be conducted by the Clerks of the Unions concerned. Wherever non-resident relief is now given, either the ordinary correspondence with reference to these cases is conducted by the Clerk, or difficulties arise from time to time which produce long and tedious disputes, by letter, leading probably to appeal to the Commissioners, and terminating in no satisfactory result, the matter devolving upon the Clerk in the more advanced stages, and when complicated by previous misunderstandings.—*Instr. Letter*, 21st December, 1844.

(x) See Article 202, No. 9, as to the duty of the Clerk to make up and transmit these accounts at the end of each quarter; and as to the liability of the Guardians of the Union on whose behalf the relief is granted, if that duty be neglected, see the case of *Wycombe v. Eton*, 1 H. & N. 687, and 26 L. J. R. (N. S.), M. C.

ORDERS FOR CONTRIBUTIONS AND PAYMENTS.

Art. 81.—The Clerk shall, four weeks at least before the Twenty-fifth day of March and the Twenty-ninth day of September respectively in each year, refer to and ascertain the cost to each Parish in the Union for the maintenance of the poor, and other separate charges, as well as for the common charges incurred in the half of the last year, corresponding to the half year next coming, and shall estimate and, as near as may be, divide amongst the Parishes any extraordinary charges to which the Union may be liable in the coming half year, and he shall also estimate the probable balance due to or from the Parish at the end of the current half year, and shall then prepare the orders on the several Parishes for the sums which, upon such computation, it shall appear necessary for them to contribute to the expenses of the Union for the coming half year; and the orders so prepared shall be laid before the Guardians for their consideration, three weeks at least before the expiration of the current half year (*y*).

97, in which it was held that an action cannot be maintained by the Guardians in respect of relief afforded to the non-resident poor of another Union, unless the accounts of such relief have been transmitted quarterly in conformity with this regulation, notwithstanding that the relief was duly ordered and never countermanded. That case leaves it doubtful whether an action could be maintained against the Guardians, even if the accounts had been duly transmitted.

It may be here stated that letters acknowledging the receipt of cheques in repayment of non-resident relief, when such relief amounts to £2 and upwards, are liable to stamp duty, under the 16 & 17 Vict. c. 59. The exemption of such letters from stamp duty was repealed by the 17 & 18 Vict. c. 83, s. 13.

(*y*) It is important that the Guardians should be careful to keep constantly a sufficient balance in the Treasurer's hands to defray the current expenses of the Union; and for this purpose that they should make, from time to time, sufficient orders for contributions upon the Overseers of the several Parishes, and enforce the orders in case the payment should be delayed. The Guardians must call for contributions from each Parish fully sufficient to meet the expenditure incurred in respect of it; and no such arrears should be allowed to accrue, in any case, as

Art. 82.—The Guardians shall make orders on the Overseers or other proper authorities of every Parish of the Union, from time to time, for the payment to the Guardians of all such sums as may be required by them for the relief of the poor of the Parish, and for the contribution of the Parish to the common fund of the Union, and for any other expenses chargeable by the Guardians on the Parish; and in such orders the contributions shall be directed to be paid in one sum or by instalments, on days specified, as to the Guardians may seem fit (z).

would cast the burdens of one Parish on the other Parishes of the Union.—*Instr. Letter.*

As to this and the following Article, see the correspondence in the Official Circular, Nos. 14 & 15 (N. S.), p. 217.

It has been the long-established doctrine (see *Tawney's* case, 2 Salk. 531; *R. v. Goodcheap*, 6 T. R. 159; *R. v. Wavell*, 1 Doug. 151; *R. v. Dursley*, 5 Ad. & E. 15) that Overseers cannot levy retrospective rates, that is, that they cannot levy rates to defray debts incurred by Parish Officers of former years, unless in cases where they are expressly authorized to do so by Act of Parliament, as in 41 Geo. III. c. 23, s. 9, and also in 11 & 12 Vict. c. 91, ss. 1 and 2. The same rule has been held to apply to a Board of Guardians, who cannot, under the powers conferred upon them by Articles 81 and 82 of this Order, make an order upon the Overseers for the payment of money to defray debts or liabilities incurred in a former year. See the case of *Waddington v. The Guardians of the City of London Union*, a full report of which will be found in the Appendix. In delivering the judgment of the Court of Error in that case, Baron Watson made special reference to this work in quoting the Orders of the Poor Law Commissioners and Poor Law Board upon which the judgment was founded.

(z) If the contribution orders for the service of the half year ending at Michaelmas are made payable on a day or days subsequent to the 25th of March immediately preceding, it will be convenient to delay the issue of the orders until after the new Overseers are appointed, or else that they should be issued in sufficient time to enable the old Overseers to collect and pay the money before they go out of office. The Poor Law Board have stated that they think it very doubtful whether, as regards an order of contribution made upon existing Overseers, succeeding Overseers could be proceeded against for any neglect to pay to the Union Treasurer the money required by the order. (7 O. C. 217.) The order must be addressed to all the Churchwardens and Overseers by name, though it need not necessarily be served on more than one of them. (See the 12 & 13 Vict. c. 103, s. 7.)

Art. 83.—Every such order shall be made according to the Form (M.) hereunto annexed. It shall be signed by the presiding Chairman of the meeting, and two other

If the Parish Officers should fail to pay the money required, the Guardians may proceed against them before the justices for a disobedience to the orders of the Commissioners, under section 98 of the 4 & 5 Wm. IV. c. 76, or they may have recourse to the remedy afforded to the Guardians by the 2 & 3 Viet. c. 84, s. 1. In case of its being necessary for the Guardians to proceed adversely against the Parish Officers, the Commissioners recommend a recourse to the remedial proceeding afforded by the latter statute, rather than to the penal proceeding authorized by the former.—*Instr. Letter.* With respect to this enactment, see *Newbold v. Coltman*, 6 Exch. Rep. 189, in which it was held that the justices act ministerially and not judicially in proceedings at special sessions under the Act. If by reason of the neglect of the Overseers to pay the moneys called for by the Guardians, any relief directed by the Guardians to be given be delayed or withheld during a period of seven days, proceedings can be taken against the Overseers under the statute 7 & 8 Viet. c. 101, s. 63, which enacts that if the Overseers of any Parish wilfully neglect to make or collect sufficient rates for the relief of the poor, or to pay such moneys to the Guardians of any Parish or Union as such Guardians may require, and if by reason of such neglect any relief directed by the Board of Guardians to be given to any poor person be delayed or withheld during a period of seven days, every such Overseer shall, upon conviction thereof, forfeit and pay for every such offence any sum not exceeding £20. The powers conferred on the Guardians by the 2 & 3 Viet. c. 84, render them responsible for securing a sufficient supply of funds from the Parish Officers; and if the Guardians should fail to obtain from the Parish Officers funds sufficient to defray the current expenditure of the Parish, they have no other legal power to procure funds to supply the deficiency. The Guardians are not in general empowered to borrow money on the security of the rates (except in the cases and for the purposes specially provided for by the statutes, such as the building of or procuring Workhouses under 4 & 5 Wm. IV. c. 76, and enabling poor persons to emigrate, under the same Act, and the making a survey or valuation of a Parish, under 6 & 7 Wm. IV. c. 96), or to pay interest for the money borrowed.—*Instr. Letter*, April, 1842. But see *Reg. v. Bangor*, 16 L. J. R. (N. S.) 58, and 11 Jur. 587, as to charging the poor-rates under the 6 & 7 Wm. IV. c. 96; and also *Reg. v. Hurstbourne-Tarrant*, 27 L. J. R. (N. S.) M. C. 214.

The 4 & 5 Wm. IV. c. 76, renders the Overseers liable to certain penalties if they wilfully neglect or disobey a contribution order of the Guardians; and the 2 & 3 Viet. c. 84, s. 1, applies to the recovery of the money called for by such an order, and of the

Guardians present thereat, and shall be countersigned by the Clerk (a).

Art. 84.—The Guardians shall pay every sum greater

costs incurred in enforcing payment. The two provisions being entirely distinct (that is to say, the one being penal and the other remedial), a conviction under the 4 & 5 Wm. IV. c. 76, for a disobedience of the order, will not interfere with any subsequent proceedings which may be taken by the Guardians to enforce or recover payment of the money under the 2 & 3 Vict. c. 84, s. 1. (56 O. C. (N. S.) 74.)

By Art. 203, No. 4, the Treasurer is required, whenever there shall not be funds belonging to the Guardians in his hands, to report in writing the fact of such deficiency to the Poor Law Board.

It is considered that certified balances paid to the Treasurer of the Guardians under the 7 & 8 Vict. c. 101, s. 32, may be applied towards payment of the contribution order made upon the Overseers of the particular Parish; for the statute enacts that "such money shall be applied by the Guardians to the use of all or any of the Parishes included in such Union, according as all or any of such Parishes may be interested in the sum so paid."

It is provided by the 12 & 13 Vict. c. 103, s. 7, that where the Guardians of any Union or Parish shall make any order for the payment of money upon Overseers or other officers of any Parish upon whom they are empowered by law to make it, and a copy of such order shall be served upon any one of such Overseers or other officers, it shall be lawful for the said Guardians to enforce such order against the person so served, as fully and as effectually as if a copy thereof had also been served upon every one of such Overseers or other officers. With regard to the making of orders for contributions and payments, see Article 81, *ante*, and note thereon. A further provision is made by the 14 & 15 Vict. c. 105, s. 9, which enacts that where the Overseer or any other officer of any Parish, or any officer of a Union, shall neglect to pay in due course of law money lawfully payable by him as such Overseer or officer to the Treasurer of such Union or Parish, residing or having his place of business in a county, district, or place different from that in which such Overseer or officer shall reside at the time of any such default, and by reason of such neglect such Overseer or officer shall be liable to be summoned before a justice or justices, any justice or justices of either county, district, or place shall have jurisdiction to hear and determine the complaint.

(c) In Unions which contain a large number of Parishes, one original order may be made to be served upon the most responsible of the Overseers, and printed copies of it may then be served upon the others. The copies to be kept by the Clerk may also be printed.

than Five Pounds by an order, which shall be drawn upon the Treasurer of the Union, and shall be signed by the presiding Chairman and two other Guardians at a meeting, and shall be countersigned by the Clerk (*b*).

Art 85.—The Guardians shall examine at their Board,

(*b*) See Articles 219 and 220 as to the transmission of the Guardians' cheques to the persons in whose favour they are drawn, and Art. 202, No. 6, as to the counter-signature of the Order by the Clerk. As to stamp duty, see Cir. Letter of 4th January, 1854, and of 7th April, 1857, relating to the form of Guardians' cheques order; see also 56 O. C. (N.S.) 72.

It appears from the Circular of the 4th January, 1854, that the Poor Law Board, with reference to the 16 & 17 Vict. c. 59, deemed it advisable to submit to the Commissioners of Inland Revenue, under section 13 of that Act, an Order drawn and issued by the Guardians of a Union upon their Treasurer, who was not a banker, in favour of a creditor, in the following Form:—

W— Union.

W— 24th day of November, 1853.

To Mr. W— H—, *Treasurer*.

Pay to Mr. I— I— P— or bearer, the sum of Forty-eight Pounds Seven Shillings and Sixpence.

R— C— H—, *Presiding Chairman*.

W— F— }
D— B— } *Guardians*.

W— O—, Clerk to the Board of Guardians
of the said Union.

The Board informed the Commissioners that the order was drawn and executed in conformity with the 84th Art. of the General Consolidated Order, and suggested that the 86th sect. of the 4 & 5 Wm. IV. c. 76, was therefore applicable, and rendered it exempt from the stamp duty which is chargeable upon a draft or order for the payment of a sum of money payable to the bearer on demand; and those Commissioners acquainted the Board that they considered that the draft is an instrument made in pursuance of the Poor Law Amendment Act, and therefore exempt from stamp duty. This decision applies equally to the statute 21 Vict. c. 20, imposing a stamp duty upon drafts drawn upon bankers. The Poor Law Board have since (7 April, 1857) issued a General Order (*post*), requiring that cheques drawn by Guardians shall in all cases be made payable "to order" instead of "to bearer."

Orders for the payment of money drawn by the Guardians on their Treasurer in the form prescribed by this Order are exempt

or shall cause to be examined by some Committee or Guardian authorized by them for the purpose, every bill exceeding in amount one pound (except the salaries of officers) brought against the Union; and when any such bill has been allowed by the Board, or by such Committee or Guardian, a note of the allowance thereof shall be made on the face of the bill before the amount is paid (*c*).

CUSTODY OF BONDS.

Art. 86.—The Guardians shall provide for the safe custody of all bonds given in pursuance of the Regulations of the Commissioners, so always that no bond given by any person shall remain in the custody of such person himself.

Art. 87.—The Guardians shall, at the audit next after the Twenty-fifth day of March in every year, cause every

from stamp duty, whether drawn upon a banker or other person; and the distance between the drawer and the person on whom the order is drawn, makes no difference as to that exemption—neither is it material whether the document passes through other hands than those of the person to whose order it is drawn.

It may be stated here, in reference to the amount of the Guardians' orders, that by the 48 Geo. III. c. 88, s. 2, which is still in force, all notes, bills, drafts, or undertakings, negotiable or transferable for money, or any orders, notes, or undertakings, negotiable or transferable for goods, specifying the value in money, cannot be made for less than 20s., for the Act declares all such to be void. Therefore, all bills or notes made payable to bearer or order for sums not amounting to 20s. are void in law. The Act however does not apply to drafts made payable to a particular person, and not negotiable. Drafts or orders so drawn by a Board of Guardians, that is made payable to the payee and not to him or order, would be liable to the penny stamp duty, as they would not be in conformity with the order of the Poor Law Board of the 7th April, 1857.

The new order does not apply to a cheque drawn for a sum under £5; and therefore an order drawn upon the Treasurer for a sum under that amount would not be exempt from stamp duty.

(*c*) All bills should be examined with the invoices and contracts under which the goods were supplied, or work done, and the several items must be cast up in order that the correctness of the totals may be ascertained and certified.

person having the custody of bonds given by any officer of the Union to produce such bonds to the Auditor for his inspection (*d*).

GOVERNMENT OF THE WORKHOUSE.

ADMISSION OF PAUPERS.

Art. 88.—Every pauper who shall be admitted into the Workhouse, either upon his first or any subsequent admission, shall be admitted in some one of the following modes only ; that is to say :—

By a written or printed order of the Board of Guardians, signed by their Clerk according to Art. 42.

By a provisional written or printed order, signed by a Relieving Officer or an Overseer.

(*d*) See Articles 184–186, as to the security of the officers. As to the report of the Auditor on those securities, see Art. 44 of the Order of Accounts, which applies to the bonds of all Union officers, as well as to the bonds of Collectors and Assistant Overseers.

By Art. 202, No. 2, it is made the duty of the Clerk to the Guardians to produce the bonds to the Auditor for his inspection. If the Clerk shall have given a bond, it should be deposited with the Treasurer of the Union, who is required by Art. 203, No. 5, to produce it to the Auditor. As to the securities of Assistant-Overseers and Collectors, see 7 & 8 Vict. c. 101, s. 61, which requires that every Collector or Assistant-Overseer appointed under the 59 Geo. III. c. 12, s. 7, or under an order of the Poor Law Commissioners or Poor Law Board, shall be bound to give to the Board of Guardians of the Parish or Union sufficient security for the due performance of his duties. Such bond is exempt from stamp duty, and every bond given in pursuance of the 59 Geo. III. c. 12, s. 7, or 7 & 8 Vict. c. 101, s. 61, shall, if the Guardians shall see fit, be put in suit by the Board of Guardians of the Union in which the Parish or District for which the officer acted or has acted may be situated, notwithstanding that it may have been originally given to the Overseers or to any other person. The provision in the latter Act so far supersedes the 59 Geo. III. c. 12, s. 7, that if security be given to the Guardians it is not necessary that additional security should be given to the Churchwardens and Overseers. The latter provision, however, does not repeal the former. The expense of preparing Assistant-Overseers' bonds should be defrayed by the persons who give them, and not out of the poor-rates. The preparation of such bonds does not come within the Clerk's duties in Art. 202, No. 4.

By the Master of the Workhouse (or during his absence, or inability to act, by the Matron), without any order, in any case of sudden or urgent necessity.

Provided that the Master may admit any pauper delivered at the Workhouse under an order of removal to a Parish in the Union (e).

(e) Under this Article an order for the admission of a pauper into the Workhouse can be given by the Board of Guardians, absolutely; and provisionally, by a Relieving Officer, or an Overseer, including a Churchwarden, who is an Overseer by virtue of his office. Moreover, the Master, or, in case of his absence or inability to act, the Matron, is empowered to admit any pauper without an order, in any case of sudden or urgent necessity; and by Art. 208, No. 1, and Art. 210, No. 1, it is made the duty of the Master or Matron to admit into the Workhouse every person who applies at the Workhouse for relief under such circumstances. If the Master and Matron should be both absent from the Workhouse, or incapable of performing their duties at the same time, it is by Art. 214, No. 3, the duty of the porter to admit and place in the receiving Ward any person who may apply at the Workhouse for relief under similar circumstances. The Commissioners do not contemplate that the Master, Matron, and Porter, should simultaneously be absent from the Workhouse, or incapable of performing their duties; and therefore they have made no provision for this contingency. In order to prevent the occurrence of error, the Commissioners have thought it right to point out, that an order for admission into the Workhouse cannot be given by any person in any of the following capacities; namely, as, 1, a Guardian not acting as a member of the Board, 4 & 5 Wm. IV. c. 76, s. 38; 2, a Justice of the Peace; 3, a ratepayer of the Parish or Union. Any one, however, may bring under the notice of the Master a person in circumstances of sudden or urgent necessity; and the Master is bound, by the Article above-cited, to admit every person applying for relief at the Workhouse under such circumstances. Moreover, in Unions or Parishes where the Commissioners have sanctioned regulations respecting mendicity, vagrant mendicants are directed to the Workhouse by a ticket containing the recommendation of a ratepayer of the Union or Parish. It will likewise be, in general, the duty of the Master of a Workhouse situate within the Metropolitan district to admit into the Workhouse any person who may be brought thither by a policeman, as having been found abroad in a state of destitution. The duty of the Master to admit into the Workhouse under these circumstances, rests on the supposition that the fact of the applicant's being brought by a policeman, is *prima facie* evidence of urgent want, and implies that he has committed no such offence within

Art. 89.—No pauper shall be admitted under any written

the cognizance of the officers of that force, as would authorize his detention in custody. It follows from this, that drunken persons, or persons who can be proved to have committed an act of vagrancy, are not within the class of cases properly entitled to admission under these circumstances; but the Masters of Workhouses will always do wisely to admit in the first instance, and afterwards to make an official representation of the conduct of any police constable of whom they may have cause to complain. It is to be observed, generally, with respect to all persons who may apply for admission into the Workhouse under circumstances of urgent necessity, that their destitution, coupled with the fact of their being within the Union or Parish, entitles them to relief; and that their title to relief is altogether independent of their settlement (if they have one), which is a matter for subsequent inquiry, and only renders them liable to removal in consequence of their becoming chargeable. On the duty of the officers to give immediate relief, without preliminary inquiry into settlement, see the letters of the Commissioners, Fourth Ann. Report, App. A., No. 2, and Fifth Ann. Report, App. A., No. 10, in which they stated that "what they were most anxious to have made known is, that the relief of actual destitution, in cases of emergency, should always precede the investigation of any question as to its cause, or as to the liability of other parties than the Parish to contribute to it;" and on the nature of settlement as affecting the right to relief, see the Minute of the Commissioners on non-resident relief, 7th Annual Report, p. 106.—*Instr. Letter*, 5th February, 1842.

Generally, with respect to the admission and discharge of paupers, it is to be observed, that they should be admitted and discharged on Sundays and holidays the same as on other days, but not during the performance of Divine Service; the Master must also admit those who present a proper order, or who apply without one under urgent circumstances, at any time of night, but he is not in general bound to discharge a pauper in the night-time. The Master has no authority to discharge a pauper from the Workhouse against the pauper's wish, without directions from the Board of Guardians, nor has the Relieving Officer or Clerk to the Guardians such a power. Overseers are only authorized to give relief in cases of "sudden and urgent necessity;" the giving of an order for the Workhouse amounts to relief, but the Master is not required to judge whether the case is one in which the Overseers may lawfully give relief, and he must therefore admit the pauper. The Guardians cannot withdraw the power of the Overseers to give provisional orders for the admission of paupers into the Workhouse, nor will the refusal of the Relieving Officer to give an order prevent the Overseers from doing so, but the latter will be bound to establish that the case

or printed order as mentioned in Art. 88, if the same bear

was one of sudden and urgent necessity. The order is termed "provisional," because it is valid only for the interval from the time it is given to the next ordinary meeting of the Guardians, when the admission of the pauper by such an order (see Art. 90) is brought before them for their decision on the propriety of the pauper remaining in the Workhouse or not. An Assistant-Overseer to whom the giving of relief is assigned as one of his duties, or whose appointment authorizes him to perform such of the duties as pertain to an Overseer of the Poor, has power to give orders for the admission of paupers in like manner as Overseers.

It sometimes happens that a person presents himself alone at the Workhouse with an order for the admission of himself, his wife and children. In such a case it is the duty of the Master to admit the applicant, as he is not bound to require him to bring the rest of his family with him; who may either be not destitute, or may be living with friends, or be otherwise provided for. But see Article 1 of the General Prohibitory Order as to the relief of able-bodied persons.

Again, if a person alleged to be destitute be brought to the Workhouse, whether by the police or by any other persons, without an order of admission, the Master must examine into the circumstances of the case, and if he find that the destitution exists, and that there is urgent necessity in the case, it is his duty to admit the destitute person into the Workhouse, and report the case to the Guardians at their next meeting, and then take their directions upon it. If, on the other hand, the Master should not be satisfied that the person brought to him is really destitute, he should refuse to admit him; but in so acting he should exercise great caution, and be fully satisfied that the case is not a proper one for admission to the Workhouse. Sometimes persons in charge of the police as offenders are taken to the Workhouse; but ordinarily such cases ought not to be admitted, as it is the duty of the police, and not of the Poor Law authorities, to provide for the safe custody of such persons.

If a pauper labouring under an infectious disease presents a provisional order for admission, he should be placed in the ward appropriated for the reception of such cases; and if there be no means of separating the pauper so affected from the other inmates, the Master should immediately send for the Relieving Officer, who will in such a case be responsible for providing some temporary accommodation for the pauper.

If on searching the pauper money is found on him sufficient for his present maintenance, the Master is not bound to keep him in the house, if the person can on leaving procure food and shelter; but all such cases should be forthwith reported to the Board of Guardians. The Guardians are empowered to discontinue or

date more than six days before the pauper presents it at the Workhouse (f).

Art. 90.—If a pauper be admitted otherwise than by an order of the Board of Guardians, the admission of such pauper shall be brought before the Board of Guardians at their next ordinary meeting, who shall decide on the pro-

refuso all relief to a person possessed of property or means available for his independent support; but in such case the question for their consideration will be, is the property in the possession of the applicant practically available for his immediate support. The possession of a watch, articles of jewellery, a horse and cart, a cow, etc., will raise a question as to whether the applicant is, strictly speaking, actually destitute of the means of support. If, however, relief be refused on this ground, the Guardians should be satisfied that the applicant has at the time a reasonable opportunity of raising money on the property in his possession; further on this point see note (z) to Art. 41, p. 21, and the provisions in the 11 & 12 Viet. c. 110, s. 10, and 12 & 13 Viet. c. 103, s. 16.

The proviso to Article 88 is intended to meet the provision in the 9 & 10 Viet. c. 66, s. 7, "that delivering of any pauper under any warrant of removal directed to the Overseers of any Parish, at the Workhouse of such Parish, or of any Union to which such Parish belongs, to any Officer of such Workhouse, shall be deemed the delivery of such pauper to the Overseers of such Parish." The case of *Ex parte the Overseers of Downton* 27 L. J. R. (N.S.) M. C. 281, shows that the Master of the Workhouse may be indicted if he refuse to receive at the Workhouse a pauper brought to him under an order of justices.

As regards the disposal of a deceased pauper's furniture, the Poor Law Board say that the personal representative of the deceased is entitled to the property which belonged to him; although the person who defrayed the expenses of burying the body would have a legal claim to be reimbursed out of the produce of the property. If the body of the deceased was buried at the cost of the Union, the Guardians can reimburse themselves out of such property under the provision contained in the 12 & 13 Viet. c. 103, s. 16. See also 57 O. C. (N.S.) p. 89.

The Guardians cannot detain, or authorize the Master of the Workhouse to detain and open letters addressed to paupers in the Workhouse which contain money. But when the money has come into the possession of the pauper they may take and appropriate it in repayment of his relief. 3 O. C. 160.

(f) It is considered that the Guardians may, if they think fit so to do, limit the order to the day on which it bears date, there being nothing in this Article to preclude them from so doing.

priety of the pauper's continuing in the Workhouse or otherwise, and make an order accordingly (*g*).

Art. 91.—As soon as the pauper is admitted, he shall be placed in some room to be appropriated to the reception of paupers on admission, and shall then be examined by the Medical Officer.

Art. 92.—If the Medical Officer, upon such examination, pronounce the pauper to be labouring under any disease of body or mind, the pauper shall be placed in the sick ward, or in such other ward as the Medical Officer shall direct (*h*).

Art. 93 (*i*).—If the Medical Officer pronounce the pauper to be free from any such disease, the pauper shall be

(*g*) It is certain that the Board of Guardians possess the power of discharging from the Workhouse, and refusing all other relief to any pauper, whom they may consider capable of supporting himself. The Commissioners, however, believe that, if the Workhouse be properly regulated, persons who are not really destitute will, in general, be unwilling to remain in it. They, therefore, think that the power of discharging from the Workhouse should be exercised with the utmost caution; and in general only in cases where a pauper can be proceeded against criminally, under the Vagrant Act, for neglecting to maintain himself or his family.—*Instr. Letter*, 5th February, 1842.

(*h*) It will be the duty of the Guardians and the Master to see that the receiving wards are kept in proper order, and that no unnecessary delay in the examination of the paupers in the receiving wards occurs on the part of the Medical Officer. A preliminary examination of the paupers by the Medical Officers is necessary, in order to prevent the introduction of contagious or infectious diseases into the Workhouse. (*Il*.) If the pauper, on inspection, should be found to labour under a contagious or infectious disease, he must not, on that account, be refused admission into the Workhouse, but he should, after being inspected, be placed in the ward appropriated for the reception of persons afflicted with contagious or infectious disorders, and proper precaution should be taken to prevent the spread of the disease amongst the other inmates. But see note to Art. 88, p. 50. It may here be remarked that the law does not admit of the Medical Officer or of the Guardians resorting to compulsion to examine into the state of a sick pauper, when such pauper (being of sound mind) refuses to permit an examination of his or her person to be made.

(*i*) With respect to the classification of the paupers, see Article 98.

placed in the part of the Workhouse assigned to the class to which he may belong.

Art. 94.—No pauper shall be detained in a receiving ward for a longer time than is necessary for carrying into effect the regulations in Arts. 91, 92, and 93, if there be room in the proper ward for his reception.

Art. 95.—Before being removed from the receiving ward, the pauper shall be thoroughly cleansed, and shall be clothed in a workhouse dress, and the clothes which he wore at the time of his admission shall be purified and deposited in a place appropriated for that purpose, with the pauper's name affixed thereto. Such clothes shall be restored to the pauper when he leaves the Workhouse (*k*).

Art. 96.—Every pauper shall, upon his admission into the Workhouse, be searched by or under the inspection of the proper officer, and all articles prohibited by any Act of Parliament, or by this Order, which may be found upon his person, shall be taken from him, and, so far as may be proper, restored to him at his departure from the Workhouse (*l*).

(*k*) Paupers admitted into the Workhouse are, under this Article, to be clothed in a dress furnished by the Guardians, and their own clothes are to be kept, and restored to them upon their quitting the Workhouse. Under Article 97, an exception is made for vagrants, as they usually remain in the Workhouse only a short time. See also Article 110, as to the description of clothing to be worn by the paupers.

(*l*) Reference may here be made to the 11 & 12 Vict. c. 110, s. 10, and the 12 & 13 Vict. c. 103, s. 16, with respect to searching poor persons professing to be destitute wanderers or wayfarers, on their admission to the Workhouse, and the appropriation by the Guardians of certain property of paupers. This Article does not interfere with those statutes in any way. The search will naturally be made at the time when the pauper's clothes are changed under Article 95. The adult male paupers ought to be searched by the Porter; the female paupers and the children by the Matron, or by some female servant under her direction. (See Art. 210, No. 2, and Art. 214, No. 5.) The following are examples of prohibited articles:—1. Spirituous or fermented liquors. (4 & 5 Wm. IV. c. 76, ss. 91–94.) 2. Articles of food not allowed by the dietary. (Art. 107.) 3. Letters or printed papers having an improper tendency. (Art. 119.) 4. Cards or dice. (Art. 120.) 5. Matches or highly combustible articles. (Art. 121.)

Art. 97.—Provided always, that the regulations respecting the admission, clothing, and searching of paupers shall not apply to any casual poor wayfarer, unless the Guardians shall so direct, or unless he is compelled to remain in the Workhouse from illness or other sufficient cause, in which case he shall be admitted regularly as an inmate (*m*).

CLASSIFICATION OF THE PAUPERS.

Art. 98.—The paupers, so far as the Workhouse admits thereof, shall be classed as follows:—

Class 1. Men infirm through age or any other cause.

Class 2. Able-bodied men, and youths above the age of fifteen years.

Class 3. Boys above the age of seven years, and under that of fifteen.

Class 4. Women infirm through age or any other cause.

Class 5. Able-bodied women, and girls above the age of fifteen years.

Class 6. Girls above the age of seven years, and under that of fifteen.

Class 7. Children under seven years of age.

To each class shall be assigned that ward or separate building and yard which may be best fitted for the reception of such class, and each class of paupers shall remain therein, without communication with those of any other class (*n*).

The Guardians are not empowered to direct the hair of any adult pauper to be cut off under ordinary circumstances; but only in some extraordinary case, where such a proceeding may be necessary for the protection of the health of the inmates of the house. (*Instr. Letter*, February, 1842.) In no case will they be justified in forcibly cutting off the hair of adult female paupers of sane mind. The children's hair may be cut whenever it is proper or necessary to do so.

(*m*) And treated in all respects in the same manner as the other inmates of the class to which he or she may belong.

(*n*) Section 26 of the 4 & 5 Wm. IV., c. 76, after enabling the Commissioners to unite Parishes for the administration of the laws for the relief of the poor, and declaring that upon such Union the Workhouse or Workhouses of such Parishes shall be for their common use, proceeds to enact that “the said Commis-

Art. 99.—Provided,

Firstly. That the Guardians shall from time to time,

sioners may issue such rules, orders, and regulations as they shall deem expedient for the classification of such of the poor of such united Parishes in such Workhouse or Workhouses as may be relieved in any such Workhouse." In order to enforce the observance of decency and good order, it is necessary that the inmates of a Workhouse should be separated into certain classes. In no well-managed institution of this sort, in this or any other country, are males and females, the old and the young, the healthy and the sick, indiscriminately mixed together. The classes of paupers prescribed by the Commissioners are indicated in Article 98. The Commissioners believe that every well-regulated Workhouse should contain the means of dividing the inmates into at least as many classes as are indicated in this Article. It is to be observed that, although the Guardians are required to divide the paupers into the seven classes specified in this Article, they are permitted to subdivide any one or more of these classes in any manner which may be advisable, and which the internal arrangements of the Workhouse may permit. For example, it is very desirable that females of dissolute and disorderly habits should be separated from those of a better character; inasmuch as it is the duty of the Guardians to take all reasonable care that the morals of persons admitted into the house be not corrupted by intercourse with inmates of this description. On this point, see Art. 99, proviso 2. (*Instr. Letter.*) Reference may be made to 3 O. C. 94, as to the mode of dealing with women of bad character, who make a practice of frequently discharging themselves from the Workhouse for immoral purposes.

With regard to the treatment of the mothers of illegitimate children in Workhouses, the following extract from the Official Circular, 55 (N.S.), 64, is here inserted:—The Guardians of a Union having recommended that the mothers of illegitimate children should rise half an hour earlier, and go to bed one hour later than the other inmates, and that these portions of time should be employed in picking oakum, or some other industrial occupation, the Poor Law Board, in reply, stated that, "so long as the inmates of the Workhouse conform themselves to the prescribed rules and regulations, the law does not recognize any distinction amongst them founded upon their antecedent conduct; and the Board cannot therefore sanction a particular treatment in respect of a peculiar class of inmates, which is intended to operate as a punishment for offences committed previous to their entrance into the Workhouse. The Board concur with the Guardians in considering it highly desirable to observe the strictest classification as regards the mothers of illegitimate children, and they cannot be too careful not to employ them in the kitchen or in domestic work generally, in which the younger and more

after consulting the Medical Officer, make such arrangements as they deem necessary with regard to

innocent inmates of the house are engaged. It is within the discretion of the Guardians to select any reasonable industrial occupation for the women in question; but the Board cannot, for the reasons which they have stated, sanction any difference in their treatment, in respect either to the hours of their rising or retiring to rest, their dress, or their diet."

It sometimes happens that mothers of illegitimate children affiliated upon the putative fathers make a practice of discharging themselves and their children from the Workhouse, and receiving the amount due under the orders, which they spend, and then apply for readmission in a state of destitution. In such cases, if they be really destitute, an order for their readmission should not be denied, but, when admitted, the regulations in Articles 88 to 96, *ante*, should on each occasion be observed, and the performance of a proper task of work exacted from them while in the house.

Any measures which appear likely to rescue abandoned women from a profligate life, and to hold out to them a prospect of earning an honourable livelihood when they leave the Workhouse, are not only desirable, but are highly to be commended. It has been suggested that with this view the mothers of illegitimate children when in the Workhouse, who are of sufficient capacity and ability, should be trained under the direction of the Medical Officer as sick nurses, and to attend upon women in their confinement. This it is competent for the Guardians to direct to be done under Article 112, which provides that the paupers of the several classes shall be kept employed according to their capacity and ability.

It may be further remarked upon this Article that it is the duty of the Master, under the direction of the Medical Officer, to separate from the other inmates any pauper patient labouring under any infectious or contagious disease, for the purpose of preventing the disease from spreading; and in case of necessity he would be authorized in confining the patient in a separate apartment or sick ward, and preventing all intercourse between him and the other inmates.

The exceptions to the regulation that paupers of different classes shall not communicate with one another are stated in the several provisos of Art. 99. As to Classes 1 and 4, see Art. 99, proviso 3, and the provision contained in the recent Act 10 & 11 Vict. c. 109, s. 23, which enacts, that when any two persons, being husband and wife, both of whom shall be above the age of sixty years, shall be received into any Workhouse, such two persons shall not be compelled to live separate and apart from each other in such Workhouse. In pursuance of this provision separate apartments should be provided for married couples, but each

persons labouring under any disease of body or mind (*o*).

Art. 99.—Secondly. The Guardians shall, so far as circumstances will permit, further subdivide any of the classes enumerated in Article 98, with reference to the moral character or behaviour, or the previous habits of the inmates, or to such other grounds as may seem expedient (*p*).

Thirdly. That nothing in this order shall compel the Guardians to separate any married couple, being both paupers of the first and fourth classes respectively, provided the Guardians shall set apart for the exclusive use of every such couple a sleeping apartment separate from that of the other paupers (*q*).

separate couple is not entitled to a separate living or day room, as well as separate sleeping room. A distinct living room may, however, be provided for the exclusive use of this class of paupers at the times when they are not engaged in such work as they may be employed upon during the usual working hours.

(*o*) As to the detention of dangerous lunatics in the Workhouse, see Art. 101. With regard to fever cases in the Metropolitan Unions, the Poor Law Board, on the 1st August, 1857, issued a circular to the Guardians of those Unions, in which, referring to the London Fever Hospital, Liverpool Road, Islington, they state that it is designed to supply a central receptacle for the fever cases of the metropolis, and is enabled, with the aid of private subscriptions, to receive these poor sufferers at so low a rate as, it is believed, does not exceed the expense incurred by treating them in the Workhouse, viz., one shilling per day; and, in the belief that purity of atmosphere, constant attendance of a resident medical officer, good nursing, the restoring influence of total quiet and appropriate nourishment, are enjoyed by the patients in the Liverpool Road Institution, the Board recommend the general use of the establishment to the Boards of Guardians of the various Metropolitan Unions and Parishes.

(*p*) This is an important provision, enabling the Guardians to place persons of bad character in classes by themselves, so that they may not contaminate the virtuous and well-conducted inmates of the house. See remarks on the subject in note to Article 98.

(*q*) The regulation of the Commissioners, in consequence of which a husband and his wife are separated during their residence in the Workhouse, has been by many persons considered objectionable. A regulation of this sort is required by the internal arrangements of a Workhouse, and for the reasons stated in

Art. 99.—Fourthly. That any paupers of the fifth and sixth classes may be employed constantly or occasionally in any of the female sick wards, or in the care of infants, or as assistants in the household work; and the Master and Matron shall make such arrangements as may enable the paupers of the fifth and sixth classes to be employed in the household work, without communication with the paupers of the second and third classes.

Fifthly. That any pauper of the fourth class, whom the Master may deem fit to perform any of the duties of a nurse or assistant to the Matron, may be so employed in the sick wards, or those of the fourth, fifth, sixth, or seventh classes; and any pauper of the first class, who may by the Master be deemed fit, may be placed in the ward of the third class, to aid in the management, and superintend the behaviour of the paupers of such class, or may be employed in the male sick ward (r).

the Commissioners' First Annual Report, pp. 32–36; and in their Report on the Further Amendment of the Law, p. 52, they have thought it necessary to retain this regulation in the Order now issued. In order that all married couples should live together in a Workhouse, in a manner consistent with decency and propriety, it would be necessary not only that the internal arrangements and discipline of Workhouses should be altogether altered, but that their size and cost should be greatly increased.—*Instr. Letter.*

Aged married couples (whose residence in the Workhouse is likely to be of longer duration than that of able-bodied persons) the Guardians may, under this proviso, place in a separate sleeping apartment. Sec 10 & 11 Viet. c. 109, s. 23, as to the separation of married couples above sixty years of age, and note to Article 98. Moreover, the Guardians can allow out-door relief to any aged couple whom it may be inexpedient from any cause to retain in the Workhouse.

(r) Proviso 4 permits able-bodied women and girls above the age of seven years to be employed as nurses, or to give assistance in the household work out of their own wards. Proviso 5 permits infirm women to be employed similarly as nurses or assistants to the Matron, and infirm men to be employed as superintendents of the boys. With respect to the use of pauper servants, the Commissioners remark that they require the strictest superintendence on the part of the Master and the other officers. The

Art. 99.—Sixthly. That the Guardians, for a special reason to be entered on their minutes, may place any boy or girl between the ages of ten and sixteen years in a male or female ward respectively, different from that to which he or she properly belongs, unless the Commissioners shall otherwise direct (s).

Seventhly. That the paupers of the seventh class may be placed in such of the wards appropriated to the female paupers as shall be deemed expedient, and the mothers of such paupers shall be permitted to have access to them at all reasonable times (t).

Eighthly. That the Master (subject to any directions given or regulation made by the Guardians) shall allow the father or mother of any child in the same Workhouse, who may be desirous of seeing such child, to have an interview with such child at some one time in each day, in a room in the said Work-

employment of paupers in offices of trust in the Workhouse is inexpedient, inasmuch as it tends to impair the discipline of the house. In offices of mere labour, which can be performed under trustworthy superintendence, paupers may be useful. In such case they should in general receive only the common fare and clothing. Where responsibility is involved, paid servants should be engaged. If a pauper be competent to superintend or teach any kind of work, the Commissioners have no doubt of the right of the Guardians to require him to do so. The expediency of compelling any pauper inmate of a Workhouse to teach a trade which he is unwilling to teach is, however, very doubtful. Tuition under the influence of compulsion would probably be of little value to the children receiving it.—*Instr. Letter*, February, 1842.

(s) Workhouses in or near populous towns commonly contain boys and girls between the ages of ten and sixteen, whom it is more expedient to class with the adult men and women than with the other boys and girls. This proviso enables the Guardians to depart, in cases of this description, from the classification prescribed by Art. 98.—*Instr. Letter*, February, 1842.

(t) This proviso permits children under the age of seven years to be placed in the wards of the female paupers, and also permits the mothers to have access to their children at all reasonable times. The Commissioners remark upon this proviso, that so long as any mother is suckling her child, she ought to have access to it at all times, except when she is at work, and that the child ought not even then to be completely beyond the mother's reach.—*Id.*

house to be appointed for that purpose. And the Guardians shall make arrangements for permitting the members of the same family who may be in different Workhouses of the Union to have occasional interviews with each other, at such times and in such manner as may best suit the discipline of the several Workhouses (*u*).

Art. 99.—Ninthly. That casual poor wayfarers admitted by the Master or Matron shall be kept in a separate ward of the Workhouse, and shall be dieted and set to work in such manner and under such regulations as the Guardians, by any resolution now in force or to be made hereafter, may direct (*x*).

(*u*) This proviso contains regulations for the daily interviews of parents and children who may be in the same Workhouse, and for the occasional interviews of members of the same family who may be in different Workhouses.—*Instr. Letter*, February, 1842. Respecting visits to paupers in the Workhouse by persons not being inmates of the Workhouse, see Art. 118, and note. By Art. 208, No. 14, it is the Master's duty to apprise the nearest relation in the Workhouse of the sickness of any pauper: and by Art. 208, No. 16, it is his duty to give immediate information of the death of any pauper in the Workhouse to the nearest relations of the deceased, who may be known to him, and who may reside within a reasonable distance.—*Instr. Letter*, February, 1842.

(*x*) With respect to the relief of vagrants, see the Minute of the Poor Law Board of 4th August, 1848, 1st Annual Report, p. 29. Whenever any vagrants or mendicants are received into the Workhouse, they ought, unless their stay exceeds a single night, to be kept entirely separate from the other inmates. This is a precaution necessary for preventing the introduction of infectious or contagious diseases into the Workhouse. An allowance of bread or potatoes should be given to each person so received at night. The bedding provided for vagrants should be sufficient for warmth, but may be inferior in quality and character to that used for the other inmates of the house. Except in severe weather, it is not desirable to allow a fire in the vagrant ward. Wet clothes may be dried and returned to the wearer on the next day, he being accommodated in the meantime with old clothes from the Workhouse Store reserved for this purpose. No smoking or card-playing should be permitted in the vagrant ward. The Medical Officer should be called in to visit any vagrant alleging that he is sick; and immediate attention should be paid to his wants.—*Instr. Letter*, February, 1842; and if the sickness assume a

Art. 100.—The Guardians shall not admit into the Workhouse, or any ward of the same, or retain therein, a larger number or a different class of paupers than that heretofore or hereafter from time to time to be fixed by

serious character, the vagrant should be removed to the Workhouse infirmary. (See Art. 97.) It is in the discretion of the Guardians, with a view to the orderly conduct of the Workhouse, to limit the hours during which vagrants shall be admitted, and they are not bound to provide lodgings which shall be open all night to trampers and that class of mendicants and wanderers who habitually resort to the rates for support. Emergent cases must, however, be admitted at all hours. The 5 & 6 Viet. c. 57, s. 5, empowers the Guardians to prescribe a task of work to be done by any person relieved in any Workhouse, in return for the relief and lodging afforded to such person. This the Guardians of many Unions have done by passing a resolution in the following form, and transmitting a copy of it to the Commissioners for their approval:—

*Ordered:—*By the Guardians of the — Union, at a Meeting of the Board, held this — day of —, one thousand eight hundred and forty —.

That the Master of the Workhouse of the — Union do set every adult person not suffering under any temporary or permanent infirmity of body, being an occasional poor person who shall be relieved in the said Workhouse, in return for the food and lodging afforded to such person, to perform the following task of work, that is to say: (*here set out the task of work:*) Provided that no such person shall be detained against his or her will for the performance of such task of work, for any time exceeding four hours from the hour of breakfast, on the morning next after admission: And provided also that such amount of work shall not be required from any person to whose age, strength, and capacity it shall appear not to be suited.

Signed —, Clerk to the Guardians.

The Guardians are not empowered to detain any person against his will for the performance of the task of work for any time exceeding four hours from the hour of breakfast in the morning succeeding the admission of such person into the Workhouse; and if any person, while in the Workhouse, refuse or neglect to perform such task of work suited to his age, strength, and capacity, or wilfully destroy or injure his own clothes, or damage any of the property of the Board of Guardians, he may be taken before justices and punished as an idle and disorderly person, within the meaning of the 5 Geo. IV, c. 83, s. 3.

The task of work prescribed should be specific in its nature, *i. e.* it should be so fixed that it can be increased in respect to *quantity*, and not in respect to time. It must not, however, be

the Commissioners ; and in case such number shall at any time be exceeded, the fact of such excess shall be forthwith reported to the Commissioners by the Clerk (*y*).

Art. 101 (*z*).—No pauper of unsound mind, who may be

a greater task than can reasonably be expected to be performed in the space of four hours.

The refusal of the vagrant to take the breakfast offered him in the morning does not exonerate him from the liability to perform the task of work in return for the food and lodging afforded him on the previous night. The task should not, however, be exacted in any case in which it is not suited to the age, strength, and capacity of the individual.

(*y*) This Article is intended to prevent the reception into any Workhouse of a larger number of inmates than it is capable of containing, consistently with their health and comfort. When the number of the inmates shall have reached the maximum approved by the Poor Law Board, the Guardians will inform the Board of the fact, and will cease to make any fresh admissions until the number shall have been diminished. If the order prohibiting outdoor relief to the able-bodied is in force in the Union, the Guardians will be enabled to make exceptions to its provisions under Art. 6, and to report such exceptions to the Commissioners.—*Instr. Letter*, February, 1842.

Should the Guardians at any time make alterations or additions to their Workhouse, so as to render it capable of containing a larger number, they should report to the Poor Law Board the number which they consider the house, with the increased accommodation afforded, can accommodate, with a view to obtaining their consent to the extension of the number.

It is considered that each inmate of a Workhouse should, upon an average, have allotted to him three hundred cubic feet of space, in rooms occupied by day or night, and five hundred cubic feet when the room is occupied both by day and night, as a sick or infirm ward. The importance of due attention being paid to a proper ventilation of the several wards need not be enlarged upon. An excellent plan of ventilating rooms inhabited by large numbers of persons was devised by Sir John Walsham, Bart., Poor Law Inspector, and will be found described in detail, in the Appendix to the 2nd Annual Report of the Poor Law Board, p. 82.

(*z*) Section 45 of the 4 & 5 Wm. IV. c. 76, enacts that “nothing in this Act contained shall authorize the detention in any Workhouse of any dangerous lunatic, insane person, or idiot, for any longer period than fourteen days ; and every person wilfully detaining in any Workhouse any such lunatic, insane person, or idiot, for more than fourteen days, shall be deemed guilty of a misdemeanour.” The words “dangerous lunatic, insane person, or idiot,” in this clause are to be read “dangerous lunatic, dan-

dangerous, or who may have been reported as such by the Medical Officer, or who may require habitual or frequent restraint, shall be detained in the Workhouse for any period exceeding fourteen days, and the Guardians shall

gerous insane person, or dangerous idiot," according to the opinion of the Law Officers of the Crown given to the Poor Law Commissioners.

Inasmuch as there are not in a Workhouse the proper conveniences for the detention of dangerous lunatics, it is desirable that any dangerous lunatic who may be temporarily deposited in one should not be detained there during a longer time than is necessary for taking the steps preparatory to his removal to a county lunatic asylum or licensed house, under the 16 & 17 Vict. c. 97, s. 67.

From the express prohibition of the detention of dangerous persons of unsound mind in a Workhouse, contained in the 4 & 5 Wm. IV. c. 76, s. 45, coupled with the prevalent practice of keeping insane persons in Workhouses before the passing of that Act, it may be inferred that persons of unsound mind, not being dangerous, may be legally kept in a Workhouse. It must, however, be remembered that, with lunatics, the first object ought to be their cure, by means of a proper medical treatment. This can only be obtained in a well-regulated asylum; and therefore the detention of any curable lunatic in a Workhouse is highly objectionable, on the score both of humanity and economy. The Commissioners, indeed, believe that most of the persons of unsound mind detained in Workhouses are incurable, harmless idiots. But although the detention of persons of this description in a Workhouse does not appear to be liable to objection on the ground of illegality or of defective medical treatment, they nevertheless think that the practice is often attended with serious inconveniences, and they are desirous of impressing upon the Guardians the necessity of the utmost caution and vigilance in the management of any persons of this class who may be in the Workhouse.—*Instr. Letter*, February, 1842.

The Guardians should inform themselves, through the Medical Officer of the Workhouse, and through the Medical Officers in whose districts paupers of unsound mind reside, whether the cases of any of them present a reasonable prospect of cure if submitted to the treatment of an asylum. All such cases should at once be sent to some asylum where they may receive the full benefit of medical care and professional superintendence. It is most important to bear in mind the fact, that the more recent a case of insanity is, the greater is the chance of cure, and therefore humanity and sound policy equally demand that persons so situated should receive the best professional aid at as early a stage as possible of their malady.

Reference may here be made to the provisions of the Lunacy

cause the proper steps to be taken for the removal of every such pauper to some asylum or licensed house as soon as may be practicable.

DISCIPLINE AND DIET OF THE PAUPERS.

Art. 102.—All the paupers in the Workhouse, except the sick and insane, and the paupers of the first, fourth, and seventh classes, shall rise, be set to work, leave off work, and go to bed at the times mentioned in the Form (N.) hereunto annexed, and shall be allowed such intervals for their meals as are therein stated, and these several times shall be notified by the ringing of a bell; provided always, that the Guardians may, with the

Acts with regard to the visits of the Commissioners in Lunacy to Workhouses, and the visitation of lunatics in asylums. With regard to the former, it is enacted by 16 & 17 Vict. c. 96, s. 28, that any one or more of the Commissioners in Lunacy may, on such day or days, and at such hours in the day, and for such length of time as he or they shall think fit, visit all such Parish and Union Workhouses in which there shall be or be alleged to be any lunatic, as the Commissioners shall, by any resolution or resolutions of the Board, direct, and shall inquire whether the provisions of the law as to lunatics in such Parish or Union have been carried out, and also as to the dietary, accommodation, and treatment of the lunatics in such Workhouse, and shall report in writing thereon to the Poor Law Board.

By sect. 29 the Commissioners in Lunacy are also empowered, for any special reason, to appoint any competent person to visit and report upon lunatics in Workhouses.

By the 16 & 17 Vict. c. 97, s. 65, any physician, surgeon, or apothecary to be appointed by the Guardians, and also the Guardians of any Union or Parish, and the Overseers of any Parish, may, whenever they see fit, between the hours of eight in the morning and six in the evening, visit and examine any or every pauper lunatic, chargeable to the Union or Parish, confined in any asylum, registered hospital, or licensed house. But the Medical Officer of the asylum has power to refuse to allow such visit, if he should be of opinion that the visit would be injurious to the lunatic.

It is not necessary that the whole body of the Guardians should periodically visit the lunatics in asylums. In general it will be found that this duty will be best discharged by a Committee of Guardians, who, after their visit, should make a full report in writing of their proceedings to the whole Board of Guardians.

consent of the Commissioners, make such alterations in any of the said times or intervals as the Guardians may think fit (a).

Art. 103.—Half an hour after the bell shall have been rung for rising, the names of the paupers shall be called over by the Master and Matron respectively, in the several wards provided for the second, third, fifth, and sixth classes, when every pauper, belonging to the respective wards, shall be present, and shall answer to his name, and be inspected by the Master and Matron respectively, provided that the paupers of the third and sixth class may be called over and inspected by the Schoolmaster and Schoolmistress (b).

Art. 104 (c).—The meals shall be taken by all the paupers, except the sick, the children, persons of unsound mind,

(a) The several times specified in Form (N.) annexed to the Order, can be altered by the Guardians, with the consent of the Commissioners; but if no such alteration should be made, the times specified in the Form must be observed in the Workhouse.—*Instr. Letter*, February, 1842.

As to the employment of the paupers, see 54 O. C. p. 31, and Article 112.

(b) It is desirable that the Master and Matron should every day call over the name of every pauper belonging to the classes enumerated, in order that they may not only be certified of the pauper's presence in the Workhouse, but also that every pauper of these classes may every day be necessarily brought under their attention.—*Instr. Letter*, February, 1842.

(c) With the exceptions specified in this Article, all the paupers ought to consume their meals in the dining-hall or day-room. With respect to the sick, the children, and persons of unsound mind, it is often necessary that they should eat their meals in their bedrooms. It may be here observed that the Officers of the Workhouse, in order to save themselves trouble, sometimes give out at once all the bread which each pauper is to consume during the day. This practice leads to waste and irregularity, and ought not, in general, to be permitted by the Guardians. All articles of food which the paupers may not consume in the dining-hall during the meal will be removed by the Officers; and no pauper will be allowed to carry away any food from the dining-hall. It may be added, that no pauper ought to be allowed to secrete articles of food in boxes or bags in the bedrooms, as such a practice is uncleanly, and likely to prove injurious to the health of the inmates.—*Instr. Letter*, February, 1842.

casual poor way-farers, women suckling their children, and the paupers of the first and fourth classes, in the dining-hall or day-room, and in no other place whatever, and during the time of meals order and decorum shall be maintained.

Art. 105.—No pauper of the second, third, fifth, or sixth classes shall go to, or remain in, his sleeping room, either in the time hereby appointed for work, or in the intervals allowed for meals, except by permission of the Master or Matron.

Art. 106.—The Master and Matron shall (subject to the directions of the Guardians) fix the hours of rising and going to bed, for the paupers of the first, fourth, and seventh classes, and determine the occupation and employment of which they may be capable; and the meals for such paupers shall be provided at such times and in such manner as the Guardians may from time to time direct (*d*).

Art. 107.—The paupers shall be dieted with the food and in the manner set forth in the Dietary Table which may be prescribed for the use of the Workhouse, and no pauper shall have or consume any liquor, or any food or provision other than is allowed in the said Dietary Table, except on Christmas Day or by the direction in writing of the Medical Officer, as provided in Article 108 (*e*).

Art. 108.—Provided,

First.—That the Medical Officer may direct in writing such diet for any individual pauper as he may deem necessary, and the Master shall obey such direction

(*d*) In fixing the hours of rising and going to bed, and the employment of the infirm men and women, and the children, the Guardians, and the Master and Matron, ought to consult the Medical Officer for the Workhouse. This Article likewise permits the Guardians to fix the times at which the infirm men and women and the children shall have their meals, and also the manner in which their meals shall be furnished to them; for example, in their own rooms, if it be necessary.—*Instr. Letter*, February, 1842.

(*e*) With respect to the mode in which proposed alterations in the established dietary must be effected, see the General Dietary Order of the Poor Law Board, dated 16th February, 1848, *post*.

until the next ordinary meeting of the Guardians, when he shall report the same in writing to the Guardians.

Secondly.—That if the Medical Officer at any time certify that he deems a temporary change in the diet essential to the health of the paupers in the Workhouse, or of any class or classes thereof, the Guardians shall cause a copy of such certificate to be entered on the minutes of their proceedings, and may forthwith order, by a resolution, the said diet to be temporarily changed, according to the recommendation of the Medical Officer, and shall forthwith transmit a copy of such certificate and resolution to the Commissioners.

Thirdly.—That the Medical Officer shall be consulted by the Matron as to the nature of the food of the infants, and of their mothers when suckling, and the time at which such infants should be weaned.

Fourthly.—That the Guardians may, without any direction of the Medical Officer, make such allowance of food as may be necessary to paupers employed as nurses or in the household work ; but they shall not allow to such paupers any fermented or spirituous liquors on account of the performance of such work, unless in pursuance of a written recommendation of the Medical Officer (f).

(f) The Commissioners have hitherto prescribed a separate dietary for each Workhouse; but the dietary has sometimes been contained in an order by itself, and has sometimes been annexed to the separate Workhouse regulations issued to the Union. It is the intention of the Commissioners to preserve a separate dietary for each Union, and accordingly the present Order does not contain any dietary table, but merely refers in this Article to the dietary table which may be prescribed for the use of each Workhouse.

It has been the study of the Commissioners, in fixing the dietaries of the different Workhouses, to assimilate them, as much as possible, to the ordinary food of the working-classes in the neighbourhood. Consequently, although the character of the dietaries, and the quantities of food allowed by them, do not differ materially, the sorts or descriptions of food are very often

Art. 109.—If any pauper require the Master or Matron to weigh the allowance of provisions served out at any meal, the Master or Matron shall forthwith weigh such allowance in the presence of the pauper complaining, and of two other persons (*g*).

unlike ; for example, the dietaries of Kent and Sussex consist mainly of bread and cheese, whilst those of the northern counties are composed chiefly of potatoes and oatmeal porridge ; in addition to the allowances of meat and soup. For a similar reason, the dietaries of some of the Unions of Cornwall contain allowances of fish ; which is consumed by the working-classes of that county.

The orders of the Commissioners prescribe no dietary for the sick, but the quantity and nature of their food are left exclusively to the discretion of the Medical Officer ; and in consequence of there being no fixed dietary for the sick, there is not only much confusion and error in the Master's accounts, but the Auditor has considerable difficulty in ascertaining the quantities of food actually consumed in the Workhouse. The Commissioners, by Art. 207, No. 9, have therefore required the Medical Officer for the Workhouse to frame the proper dietary for the sick paupers, in so many different scales as he shall deem expedient. They have recommended that the sick dietary should be similar to that used in hospitals and containing four kinds of diet : viz. high, middle, low, and fever ; and that the quantity of articles to be allowed for each should be minutely specified. The Commissioners further recommend that a copy of this dietary should be hung up in the infirmaries or sick-wards of the Workhouse ; and they require that the Master's accounts should correspond with the entries made in the proper column of Form (Q.) by the Medical Officer. See note to Art. 207, No. 9.

The second proviso to Art. 108 will enable the Guardians to adopt, without delay, such suggestion of the Medical Officer with respect to diet, as the prevalence of any epidemic or other disease may render advisable.—*Instr. Letter*, February, 1842.

The latter part of the 4th proviso may be acted upon, though the paupers are not at the time actually sick. If the Medical Officer consider that, owing to the nature of the work any pauper is employed upon, an allowance of fermented or spirituous liquors is necessary for the preservation of his health, and in writing recommends the allowance, the Guardians are at liberty to grant it.

(*g*) This article is intended to provide the means of satisfying every pauper that he receives the daily allowance of food assigned to him by the dietary, and it may be observed that the allowances to the paupers must be weighed and served out at each meal, and not one allowance for the whole of the meals during the day.

Art. 110.—The clothing to be worn by the paupers in the Workhouse shall be made of such materials as the Board of Guardians may determine (*h*).

Art. 111.—More than two paupers, any one of whom is above the age of seven years, shall not be allowed to occupy the same bed, unless in the case of a mother and infant children (*i*).

Art. 112.—The paupers of the several classes shall be kept employed according to their capacity and ability (*j*) ; and no pauper shall receive any compensation for his labour (*k*).

(*h*) The clothing worn by the paupers need not be uniform either in colour or materials, and it should be stamped with the name of the Union, but so as not to be seen when worn. See 55 Geo. III. c. 137, s. 2, which enacts that the stamp or mark shall not be placed on any articles of wearing apparel, so as to be publicly visible on the exterior of the same.

With respect to the use of a penal dress in the Workhouse, see the Minute of the Poor Law Commissioners, in their 6th Annual Report, p. 98, which contains their reasons for disapproving of the practice of causing paupers to wear a distinguishing dress as a mark of disgrace. In the General Workhouse Rules issued by the Commissioners, in 1842, they permitted the Guardians to direct a dress different from that of the other inmates to be worn by disorderly or refractory paupers during a period of not more than forty-eight hours ; but a similar provision is not contained in the present Order.—*Instr. Letter.*

(*i*) This Article does not admit of a mother and her infant sleeping in the same bed with another woman, nor does it admit of two adults and a child sleeping in the same bed. The practice of placing two adults to sleep in the same bed is very objectionable, and is on every account to be discouraged.

(*j*) It would be contrary to this Article as well as to Art. 114 and Arts. 208, No. 6, and 210, No. 3, to send any of the inmates of the Workhouse, whether adults or children, out daily to work for farmers or in factories, whether for wages or otherwise. See also 56 Geo. III. c. 129, which however appears to apply only to adults. See 9 O. C. 64, as to the employment of Workhouse boys in a factory during the day.

As to the duty of the Master of the Workhouse in regard to the employment of the paupers see Art. 208, No. 6.

See also note to Art. 112, and Arts. 208, No. 6, and 210, No. 3.

(*k*) Article 112 prohibits any pecuniary compensation for the labour of the inmates. Art. 108, No. 4, however, makes an ex-

Art. 113.—No pauper in the Workhouse shall be employed or set to work in pounding, grinding, or otherwise breaking bones, or in preparing bone dust.

Art. 114.—The boys and girls who are inmates of the Workhouse shall, for three of the working hours, at least, every day, be instructed in reading, writing, arithmetic, and the principles of the Christian Religion, and such other instruction shall be imparted to them as may fit them for service, and train them to habits of usefulness, industry, and virtue (*l*).

ception as to extra allowances of food for paupers employed in the service of the house, as nurses, washerwomen, etc. The bodily exertions required of persons so employed, or the disagreeableness of the duty, may sometimes be such as to justify an extra allowance of this sort. In large Workhouses it is always advisable to employ a paid nurse; in many Workhouses paid household servants have been appointed.—*Instr. Letter*, February, 1842.

When it is considered expedient to employ a pauper inmate as a paid servant, the Guardians should appoint him or her as an assistant or otherwise. The person so appointed will then cease to be a pauper, and the cost of the wages (if any) and rations will then be charged to the common fund, in like manner as the other Workhouse Officers. If a task of work be prescribed under 5 & 6 Vict. c. 57, s. 5, for vagrants relieved in the Workhouse, the Guardians may, if they think fit, employ any able-bodied male pauper inmate of the Workhouse upon the work so prescribed, according to his capacity and ability, and require from him the performance of the same daily task of work. Further upon this Article see 56 O. C. (N.S.) 31.

(*l*) The Poor Law Board leave the Guardians a discretion as to whether Workhouse children above a certain age shall be employed industrially during the whole of every alternate day, provided that the children be in the school at least eighteen hours in the course of the week, and not more than six hours in any one day, and that the manual occupations in which they are engaged are suitable for the purposes of industrial training.

Reference may here be made to the 14 & 15 Vict. c. 105, s. 6, which enables guardians having adequate and greater provision for the reception of poor children in their Workhouse than they require, with the consent of the Poor Law Board, to contract with the Guardians of any other Union or Parish, any part of which is not more than twenty miles from such Workhouse, for the reception, maintenance, and instruction therein of any poor children under the age of sixteen years, being orphans or de-

Art. 115.—Any pauper may quit the Workhouse upon giving to the Master, or (during his absence or inability to act) to the Matron, a reasonable notice of his wish to do so ; and in the event of any able-bodied pauper, having a family, so quitting the house, the whole of such family shall be sent with him, unless the Guardians shall, for any special reason, otherwise direct ; and such directions shall be in conformity with the Regulations of the Commissioners with respect to relief in force at the time (*m*).

serted by their parents, or whose parent or surviving parent shall consent.

Reference may also be made to the 18 & 19 Vict. c. 34, as to the education of the young children of poor persons who are relieved out of the Workhouse, and the Circular of the Poor Law Board containing suggestions as to the proper mode of carrying it into execution. Also to the 20 & 21 Vict. c. 48, s. 21, which enables Guardians of any Union or Parish, if they deem proper, with the consent of the Poor Law Board, to contract with the managers of any certified Industrial School for the maintenance and education of any pauper child.

(*m*) By this Article, no pauper is allowed to quit the Workhouse without giving a *reasonable notice* of his or her wish to do so. The reasonableness of the notice must depend upon the circumstances under which it is given. In many of their former Orders the Commissioners fixed the length of the notice at *three hours*, but they now prefer the indeterminate expression used in this Article ; inasmuch as the period of three hours might sometimes be too long and at other times too short. *Some time* after the giving of the notice is requisite, in order to enable the Master to restore to the pauper his own clothes (see Art. 95), and to receive back those belonging to the Guardians. *Some time* likewise is required in order to enable the Master to make the proper entries in the books. Moreover, a pauper cannot, in general, be discharged during the night, or at the time of meals, or during the performance of divine service. It may be added, that a longer time must be allowed to the Master, if several paupers give the notice simultaneously ; but the Master will not be justified in throwing any unnecessary impediment in the way of a pauper's leaving the house in the shortest practicable time. Although paupers ought not to be discharged during the performance of divine service, there is no power of detaining them during the whole of Sunday, if they should desire to leave the Workhouse on that day. The Commissioners believe that the Guardians, and the Master of the Workhouse as their Officer, have over orphan children, or children deserted by their parents, the same control which a guardian possesses over his ward ; and

Art. 116.—Provided nevertheless, that the Guardians may, by any general or special direction, authorize the

that they may therefore detain in the Workhouse any such infant under the age of sixteen; provided that they have reasonable grounds for believing that leaving the Workhouse would be attended with injurious consequences to the child. The Guardians, however, are not authorized to detain in the Workhouse young persons above sixteen years of age, who have no friends, and are not going into service. Nor is there any power of detaining in the Workhouse mothers of bastard children who may be in the habit of quitting the Workhouse and returning to it after a few days' absence. But Lord Campbell, C. J., whilst Attorney-general, and Sir William Follet, advised the Poor Law Commissioners that the Guardians could not lawfully detain orphan children or other children not having the benefit of parental care in the Workhouse without their consent so long as might be judged necessary for their protection, or until employment can be procured for them, unless they are apprenticed.

The Guardians and their officers are not empowered to detain adult persons having any infectious disease and desiring to quit the Workhouse, though by quitting it such paupers may be likely to damage their own health, or to endanger the health of others. (See the correspondence on this subject in the Report of the Poor Law Commissioners on the further amendment of the law, page 293.) With respect to the power of the Master over persons with infectious diseases who may be in the Workhouse, see note on Art. 98. It may be observed, that persons with infectious diseases going abroad, and exposing others to the infection, are punishable for a misdemeanour. (*Rex v. Vantandillo*, 4 M. & S. 73.) Whenever any pauper is likely to endanger his health by leaving the Workhouse, he ought to be warned in the presence of a witness, by the Medical Officer, or the Master, of the probable consequences of his act. It is moreover desirable (although this precaution is not legally necessary), that persons of weak intellect should not be permitted to leave the Workhouse except on the application, and, if possible, in the company of some relation or other person likely to take care of them. If any difficulty should arise with respect to any insane person in the Workhouse, or about to leave it, the Master ought to call the attention of the Medical Officer to the case, whose duty it will be to give the necessary notice in writing to the Relieving Officer, in order that steps may be taken to remove the lunatic to an asylum, under the 16 & 17 Vict. c. 97, s. 67; see notes to Arts. 101 and 207, No. 4. When a pauper has committed an offence, or been guilty of a misbehaviour in the Workhouse, punishable by confinement under Art. 130 or 131, his giving the

Master to allow a pauper, without giving any such notice as is required in Art. 115, to quit the Workhouse, and to return after a temporary absence only; and every such

proper notice to quit the Workhouse will not prevent the completion of such punishment, provided the confinement does not extend beyond the period mentioned in the seventh section of 54 Geo. III. c. 170; viz. twenty-four hours, or such further space of time as may be necessary in order to bring such pauper before a justice of the peace. Art. 115 further provides that when any able-bodied pauper having a family quits the house, the whole of such family shall be sent with him or her, unless the Board of Guardians shall, for any special reason, otherwise direct. Upon this provision it may be remarked, that the mother of a legitimate child, or of an illegitimate child, should, on leaving the Workhouse, take her child with her.

It seems doubtful whether the Guardians have the power to prevent the wife from leaving the Workhouse without her husband; but the husband can, if he thinks fit, detain her in the Workhouse by his marital authority; and the Guardians would be justified in refusing her permission to quit the Workhouse under such circumstances.—*Instr. Letter*, February, 1842. As regards the compulsory discharge of a pauper from the Workhouse by the Guardians, see 39 O. C. (N.S.) 112.

If an inmate of a Workhouse be subpoenaed as a witness in a court of law, he must be permitted to leave the Workhouse for the purpose of attending the Court; and in that case, if he should so desire, it will be proper he should be furnished with his own clothes in which to appear in Court. If a pauper for whose removal to the parish of his settlement an Order of Justices has been obtained be in the Workhouse, and give notice of his intention to leave, he cannot be detained against his will on the ground that he is under an order of removal, but must be permitted to leave. The Master of the Workhouse has nothing whatever to do with the question of removal, which is one for the Overseers of the particular parish only. Sometimes benevolent persons apply to Boards of Guardians to be permitted to adopt children from the Workhouse whose parentage is unknown. Though there is no legal objection to the Guardians giving up the possession of the children under such circumstances, they should satisfy themselves that the proposal is for the child's advantage before consenting to it. Under this Article the Guardians are enabled to retain in the Workhouse the wife or other member of a family of an able-bodied man, or the head of the family discharging himself; but in that case they must give a special direction in the matter, and report the circumstances to the Poor Law Board for their sanction, under Art. 6 of the General Prohibitory Order, *post*.

allowance shall be reported by the Master to the Guardians at their next ordinary meeting (n).

Art. 117 (o).—Provided also, that nothing herein con-

(n) In general any pauper who quits the Workhouse, having given the notice under Art. 115, is understood to have ceased to be an inmate of it: and if he should be subsequently re-admitted (see Art. 88), he will go through the process required by Arts. 91–97. But the proviso in Art. 116 prescribes a mode by which a pauper may be allowed to quit the Workhouse temporarily without ceasing to be an inmate of it, and without being subject upon his return to the regulations in Arts. 91–97. The following may serve as examples of the “urgent or special reasons” for which a pauper may be permitted to quit the Workhouse; viz. 1. In order to search for work in the neighbourhood. 2. To visit a relation. 3. To attend a baptism at the parish church (see note on Art. 124). This permission ought to be given only from time to time, as the occasion may arise, and not at stated intervals, for example, once a week or a fortnight. A permission to leave the house at stated intervals is found in practice to be abused. With respect to the penalty for abuses of the permission to quit the Workhouse temporarily, see note on Art. 126. If an adult person should abscond from the Workhouse without giving any notice, for example, by climbing over a wall, or dropping from a window, he is not punishable unless he should carry away clothes or other effects of the Guardians, in which case he may be convicted under the 55 Geo. III. c. 137, or if he do any wilful damage to the property of the Guardians, he may be punished under 7 & 8 Geo. IV. c. 30. The Guardians and their Officers are not empowered to capture any person absconding from the Workhouse and bring him back against his will: and if he return voluntarily they are not empowered to punish him after his return.—*Instr. Letter*, February, 1842.

If the Guardians have given the authority contemplated to the Master, he may grant leave of absence from the Workhouse to any boy or girl in the school who, upon sufficient grounds, may apply for leave. The Master must, however, report the allowance to the Guardians at their next ordinary meeting. The Schoolmaster or Schoolmistress have no authority to grant leave of absence to any of the children. It is desirable that, as far as the circumstances will admit, the Board of Guardians should reserve to themselves the exclusive power of giving leave of absence to children when not under the care of their parents. 57 O. C. (N.S.) p. 96.

(o) The proviso in this Article allows the children to leave the Workhouse for the purpose of exercise under proper care. By Art. 212, No. 3, it is made the duty of the Schoolmaster and Schoolmistress to accompany the children on these occasions, unless the Guardians should otherwise direct.—*Instr. Letter*, February, 1842.

tained shall prevent the Master from allowing the paupers of each sex under the age of fifteen, subject to such restrictions as the Guardians may impose, to quit the Workhouse, under the care and guidance of himself, or the Matron, Schoolmaster, Schoolmistress, Porter, or some one of the assistants and servants of the Workhouse, for the purpose of exercise.

Art. 118.—Any person may visit any pauper in the Workhouse by permission of the Master, or (in his absence) of the Matron, subject to such conditions and restrictions as the Guardians may prescribe; such interview shall take place in a room separate from the other inmates of the Workhouse, and in the presence of the Master, Matron, or Porter, except where a sick pauper is visited (*p*).

Art. 119 (*q*).—No written or printed paper of an im-

(*p*) This Article allows any pauper in the Workhouse to receive the visit of a stranger; but requires that, except in the case of a sick pauper, the interview shall take place in a separate room and in the presence of the Master or Matron. The necessity for this restriction arises from several causes, among which the following may be specified as the most prominent; namely, a fear of the introduction of spirits by visitors; the abuses which would ensue if the female inmates of a Workhouse were generally permitted to have private interviews with men; the probability that the minds of young persons in the Workhouse would be perverted by persons who might visit them. Accordingly, this restriction is not intended to offer any obstacle to the innocent and proper visits of relations and friends; and the Master or other Officer present ought not to listen to the conversation between the visitor and the pauper, unless there should be a reasonable ground for suspecting the conversation to be of an improper character. It is desirable that there should be fixed days in the week on which paupers should be allowed to receive visits; and that they should not, in general, be visited on other days, except in cases of sickness or necessity.—*Instr. Letter*, February, 1842. Under this Article the Guardians may permit the visit of any person for any lawful purpose to any sick pauper, subject to such restrictions and conditions as they may think fit to impose.

(*q*) The words “printed paper” comprehend any newspaper, hand-bill, book, pamphlet, etc.—It will be observed, that the prohibition only extends to papers of an *improper tendency*, or which may be likely to produce insubordination. By Art. 214,

proper tendency or which may be likely to produce insubordination, shall be allowed to circulate, or be read aloud, among the inmates of the Workhouse.

Art. 120.—No pauper shall play at cards, or at any game of chance, in the Workhouse; and the Master may take from any pauper, and keep until his departure from the Workhouse, any cards, dice, or other articles applicable to games of chance, which may be in his possession (*r*).

Art. 121.—No pauper shall smoke in any room of the Workhouse, except by the special direction of the Medical Officer, or shall have any matches or other articles of a highly combustible nature in his possession, and the Master may take from any person any articles of such a nature (*s*).

No. 4, it is the duty of the Porter to prevent the admission into the Workhouse of any letter or printed paper falling within the prohibition in Art. 119. The Master is not empowered to examine letters written by the pauper inmates, and such letters should be sent to the post; nor is he empowered to detain or open letters addressed to a pauper, unless he have reason to suspect that the communication is of an "*improper tendency*." Paupers may be permitted to receive writing materials sent by their friends.—*Instr. Letter*, February, 1842.

The Poor Law Board have stated that if the Guardians should be of opinion that a collection of books for the use of the Workhouse inmates is desirable, they are at liberty to exercise their own judgment in regard to purchasing what shall appear to them to be requisite; and it will be for the Auditor to decide whether they have exceeded their legal powers in the particular case when the item comes before him at his audit. With regard, however, to future annual payments for the maintenance of the library, the Board consider it to be quite clear that the Guardians cannot bind their successors to expend any sum for such a purpose hereafter. 57 O. C. (N. S.) p. 85.

(*r*) The Commissioners state, that it is desirable that the prohibition in this Article should be applied to the inmates of the vagrant ward, as well as to the other paupers. See note to Art. 99, No. 9.

(*s*) The practice of smoking in the rooms of the Workhouse not only tends to uncleanness, but is also offensive to many of the other inmates. The prohibition of matches, gunpowder, and the like, is necessary for protecting the house against fire.—*Instr. Letter*, February, 1842. The Article does not expressly apply to smoking in the yards of the Workhouse, but it is competent to the Guardians to make an order to prevent the practice of

Art. 122 (t).—Any licensed Minister of the religious persuasion of an inmate of the Workhouse, who may at any time in the day, on the request of any inmate, enter the Workhouse for the purpose of affording religious assistance to him, or for the purpose of instructing his child or children in the principles of his religion, shall give such assistance or instruction, so as not to interfere with the

smoking in the yards. If their order be disobeyed by any pauper, and he do not refrain from smoking when ordered to do so by the Workhouse Master or other officer of the Workhouse, he will be guilty of an offence within the meaning of Art. 127. As to the supply of tobacco and snuff to paupers in the Workhouse, see note to Art. 206, No. 1.

(t) With respect to this Article, see sect. 19 of the 4 & 5 Wm. IV. c. 76, which enacts that “No rules, orders, or regulations of the said Commissioners, nor any by-laws at present in force or to be hereafter made, shall oblige any inmate of any Workhouse to attend any religious service which may be celebrated in a mode which may be contrary to the religious feelings of such inmate, nor shall authorize the education of any child in such Workhouse in any religious creed other than that professed by the parents or surviving parent of such child, and to which such parents or parent shall object, or, in the case of an orphan, to which the godfather or godmother of such orphan shall so object.” And that “It shall and may be lawful for any licensed Minister of the religious persuasion of any inmate of such Workhouse, at all times in the day, on the request of such inmate, to visit such Workhouse for the purpose of affording religious assistance to such inmate, and also for the purpose of instructing his child or children in the principles of their religion.” See also the opinion of the Crown lawyers upon the construction of that enactment in the 5th Annual Report of the Poor Law Commissioners, p. 75. By a “licensed Minister” of a Protestant Dissenting sect, the Commissioners understand a Minister who is recognized in his ministerial character by the members of such sect, and who has complied with all the requisitions of the law, and is therefore subject to no penalty in respect of the public exercise of his ministerial functions. It appears to the Commissioners that the section of the 4 & 5 Wm. IV. c. 76, above quoted, does not contemplate the attendance of members of the Established Church at the divine service performed by a Dissenting Minister in a Workhouse. If any adult member of the Established Church should desire to attend the service of a Dissenting Minister, the Commissioners would not interfere to prevent their attendance, provided that no improper influence was used to induce them to attend, although they consider it objectionable; but the Commissioners think that chil-

good order and discipline of the other inmates of the Workhouse; and such religious assistance or instruction shall be strictly confined to inmates who are of the religious persuasion of such Minister, and to the children of such inmates, except in the cases in which the Guardians may lawfully permit religious assistance and instruction to be given to any paupers who are Protestant Dissenters, by licensed Ministers who are Protestant Dissenters.

Art. 123 (*u*).—No work, except the necessary household work and cooking, shall be performed by the paupers on Sunday, Good Friday, and Christmas Day.

Art. 124 (*x*).—Prayers shall be read before breakfast and after supper every day, and Divine Service shall be per-

dren, being members of the Established Church, should never be permitted to attend on such occasions, and they would, in case of necessity, prohibit any such practice by an Order. See a full statement of the views of the Commissioners on this subject in a letter to the Liskeard Guardians, 7th Annual Report, p. 230.—*Instr. Letter*, February, 1842. It is not intended that the visits of Ministers of religion should be subject to the restrictions imposed by Art. 118 on the visits of other persons. The Guardians are not restricted from permitting the attendance of duly licensed Dissenting Ministers at the Workhouse, at stated periods, for the purpose of performing religious services, for such Dissenting inmates as may be desirous to attend their ministrations. But such attendances must be so given as not to interfere with the good order or discipline of the other inmates of the Workhouse. The Guardians also are not prohibited by law from permitting licensed Ministers of the religious persuasion of any inmate from visiting the Workhouse at stated times, or from performing religious services for such Dissenting inmates as may be desirous to attend their ministrations. Such religious instruction or assistance contemplated by the 4 & 5 Wm. IV. c. 76, s. 19, must be strictly confined to persons who are Protestant Dissenters, and must be so given as not to interfere with the good order or discipline of the other inmates of the Workhouse.

(*u*) No work, except as is excepted in this Article, should be performed by the paupers on any general fast-day appointed by authority.

(*x*) The Master and the other Officers of the Workhouse ought, as far as possible, to attend morning and evening prayers in the Workhouse. By Article 208, No. 4, it will be the duty of the Master to read the prayers both morning and evening; and he ought only to cause them to be read by others in case he should be prevented by conscientious scruples, or should be incapacitated through some defect of speech. By Art. 211, No. 1, it will be

formed every Sunday, Good Friday, and Christmas Day in the Workhouse (unless the Guardians, with the consent of the Commissioners, otherwise direct), and at such prayers and Divine Service all the paupers shall attend, except the sick, persons of unsound minds, the young children, and such as are too infirm to do so: provided that those paupers who may object so to attend, on account of their professing religious principles differing from those of the Established Church, shall also be exempt from such attendance.

Art. 125 (y).—The Guardians may authorize any inmates of the Workhouse, being members of the Established Church, to attend Public Worship at a parish church or

the duty of the Chaplain to perform Divine Service in the Workhouse every Sunday, Good Friday, and Christmas Day, unless the Guardians, with the consent of the Commissioners, otherwise direct. Where the Guardians have appointed a Chaplain, it is in general desirable that Divine Service should be performed in the Workhouse on Sunday by the Chaplain, and that the inmates who are members of the Established Church, should not go out to attend Divine Service. Children ought, in general, to be baptized at church; and they ought to be baptized in the Workhouse only under circumstances which would justify the administration of baptism in a private house. Of this necessity the Chaplain must judge. The Sacrament of the Lord's Supper should not be administered in the Workhouse, except to the sick and disabled inmates, but to them it should be administered as often as the Chaplain may deem requisite; any of the other inmates whom he may judge fit to communicate with them should be permitted to do so. The churching of women should take place in the parish church.—*Instr. Letter*, February, 1842. Where, however, there is a Workhouse chapel, the Communion might be celebrated in it without impropriety with the consent of the Bishop of the diocese; but even in that case those inmates who desire it should be allowed to attend the parish church to receive the Sacrament at Easter and Christmas. At the same time, if the Bishop of the diocese sanction the administration of the Sacrament exclusively in the Workhouse, the Commissioners consider this approbation a sufficient authority for the Chaplain.

(y) It will be observed that the provision contained in this Article is permissive only, and that the Guardians are not compelled to permit the paupers to leave the house for the purpose of attending Divine Service at the parish church. See the observations of the Poor Law Commissioners in the note to Art. 124.

chapel, on every Sunday, Good Friday, and Christmas Day, under the control and inspection of the Master or Porter, or other officer.

Art. 126.—The Guardians may also authorize any inmates of the Workhouse, being dissenters from the Established Church, to attend Public Worship at any dissenting chapel in the neighbourhood of the Workhouse, on every Sunday, Good Friday, and Christmas Day (z).

PUNISHMENTS FOR MISBEHAVIOUR OF THE PAUPERS (a).

Art. 127.—Any pauper, being an inmate of the Workhouse, who shall neglect to observe such of the regula-

(z) A similar remark to that contained in the note to Art. 124, as to leaving the Workhouse on Sundays, applies also to Protestant Dissenters, where they are visited in the Workhouse by Ministers of their own persuasion. There is, however, greater difficulty in the case of Roman Catholics; inasmuch as Mass cannot be solemnized in a Workhouse, unless it should contain an altar consecrated for the purpose. By Art. 125, it is required, that when the members of the Established Church attend Divine Service out of the Workhouse, they should be under the control and inspection of the Master or Porter, or other officer. This condition is necessarily omitted in Art. 126; because the Master or Porter could not accompany both the members of the Established Church and the Dissenters. The attendance of the Master or Porter is rendered imperative in the former case; inasmuch as in the Workhouses to which this Order applies, the inmates who are members of the Established Church greatly outnumber the members of other religious denominations. In the latter case, it will be the duty of the Guardians to make such regulations as will prevent any abuse of the permission by Dissenters who are inmates of the Workhouse; such as inducing the Ministers of the different congregations to certify the attendance of the inmates professing to frequent their chapels, and to state the times of the commencement and end of the service. Any pauper permitted to quit the Workhouse under Art. 116 or Arts. 125 and 126, and returning after the appointed time of absence, or misbehaving in going to, at, or returning from public worship, may be punished as disorderly by virtue of Art. 127. Moreover, in cases where permission to leave the Workhouse has been abused, the Guardians may properly exercise their discretion of refusing the pauper temporary leave of absence from the Workhouse for some time afterwards, as a month or six weeks, if he should continue an inmate of it."—*Instr. Letter*, February, 1842.

(a) Arts. 127–147 contain the regulations respecting the punishment of paupers, both adult and children, while inmates

tions in this order as are applicable to him as such inmate ;—

Or who shall make any noise when silence is ordered to be kept ;

Or shall use obscene or profane language ;

of the Workhouse, for misbehaviour. The general power of making "Regulations to be enforced in Workhouses, for the government thereof, and the preservation of good order therein," which has been conferred on the Commissioners by sections 15 and 42 of the 4 & 5 Wm. IV. c. 76, must be held to include the power of authorizing the proper Officers to inflict punishment by which such Regulations may be "enforced." But, independently of these provisions, the necessity of inflicting certain punishments within the walls of a Workhouse is distinctly recognized by the law. The 54 Geo. III. c. 170, s. 7, by limiting the duration of the restraint which may be imposed on an inmate of a Workhouse, implies the legality of restraint within those limits, and by prohibiting the corporal punishment of adults, seems to recognize as lawful other reasonable punishments. In the 4 & 5 Wm. IV. c. 76 (section 93), these wholesome restrictions of the power of Workhouse Masters are repeated. From this clause the same inferences must undoubtedly be drawn as from 54 Geo. III. c. 170, s. 7 ; with this difference, however, that while the earlier statute may perhaps be held to apply specially to Workhouses regulated by local Acts of Parliament, section 93 certainly extends to all Workhouses. The powers possessed by Officers for restraining inmates of Workhouses guilty of misbehaviour appear to have been considered insufficient, and the 55 Geo. III. c. 137, s. 5, provides a more severe punishment by confinement, with hard labour, for any time not exceeding twenty-one days. It will be observed that this clause does not assert that no *punishment* can be inflicted on such an offender, but it asserts that no *sufficient* punishment was provided by the then existing law. Acting on the spirit of all these provisions, it appears desirable to impose slight punishments within the walls of the Workhouse itself for all trifling offences, and not to harass the Justices with complaints which must often relate to trifling matters, or to press for the rigorous measure of commitment to hard labour, at a great expense to the country, except when absolutely necessary. It will be observed that the word "*misbehaviour*," in the 55 Geo. III. c. 137, s. 5, whilst it includes the instances of misbehaviour enumerated by the Order of the Commissioners, also comprehends any kind of misbehaviour not specified in such Order. It will be desirable, therefore, that the Master, in all cases unprovided for in the Order of the Commissioners, or whenever he may entertain doubts as to his authority, should lay a complaint before the Magistrates under the provision just cited.—*Instr. Letter.*

- Or shall by word or deed insult or revile any person ;
- Or shall threaten to strike or to assault any person ;
- Or shall not duly cleanse his person ;
- Or shall refuse or neglect to work, after having been required to do so ;
- Or shall pretend sickness ;
- Or shall play at cards or other game of chance ;
- Or shall refuse to go into his proper ward or yard, or shall enter or attempt to enter, without permission, the ward or yard appropriated to any class of paupers other than that to which he belongs ;
- Or shall climb over any fence or boundary wall surrounding any portion of the Workhouse premises, or shall attempt to leave the Workhouse otherwise than through the ordinary entrance ;
- Or shall misbehave in going to, at, or returning from Public Worship out of the Workhouse, or at Divine Service or Prayers in the Workhouse ;
- Or, having received temporary leave of absence, and wearing the Workhouse clothes, shall return to the Workhouse after the appointed time of absence, without reasonable cause for the delay ;
- Or shall wilfully disobey any lawful order of any officer of the Workhouse ;

Shall be deemed DISORDERLY.

Art. 128.—Any pauper, being an inmate of the Workhouse, who shall, within seven days, repeat any one, or commit more than one, of the offences specified in Art. 127;

- Or who shall by word or deed insult or revile the Master or Matron, or any other officer of the Workhouse, or any of the Guardians ;
- Or shall wilfully disobey any lawful order of the Master or Matron after such order shall have been repeated ;
- Or shall unlawfully strike or otherwise unlawfully assault any person ;
- Or shall wilfully or mischievously damage or soil any property whatsoever belonging to the Guardians ;
- Or shall wilfully waste or spoil any provisions, stock, tools, or materials for work, belonging to the Guardians ;

Or shall be drunk ;

Or shall act or write indecently or obscenely ;

Or shall wilfully disturb other persons at Public Worship out of the Workhouse, or at Divine Service or Prayers in the Workhouse ;

Shall be deemed REFRACTORY.

Art. 129.—The Master may, with or without the direction of the Guardians, punish any disorderly pauper by substituting, during a time not greater than forty-eight hours, for his dinner, as prescribed by the Dietary, a meal consisting of eight ounces of bread, or one pound of cooked potatoes or boiled rice, and also by withholding from him, during the same period, all butter, cheese, tea, sugar, or broth, which such pauper would otherwise receive, at any meal during the time aforesaid (b).

Art. 130.—The Guardians may, by a special direction to be entered on their minutes, order any refractory pauper to be punished by confinement in a separate room, with or without an alteration of diet, similar in kind and duration to that prescribed in Art. 129 for disorderly paupers ; but no pauper shall be so confined for a longer period than twenty-four hours ; or, if it be deemed right that such pauper should be carried before a Justice of the Peace, and if such period of twenty-four hours should be insufficient for that purpose, then for such further time as may be necessary for such purpose (c).

(b) By this Article the Master is authorized to make certain changes in the diet of disorderly paupers without any order of the Board of Guardians, either general or specific. With respect to the punishment of paupers who have been sick or are pregnant, or above sixty years of age, see Art. 134. Note that it is only *disorderly* paupers that are to be punished under this Article.

(c) It is scarcely possible to define in an order the nature of the room in which refractory paupers may be confined ; but the Commissioners hope that the Visiting Committee will take care to ascertain, from time to time, whether the room set apart for this purpose is in a proper state ; and the Commissioners will themselves direct their assistant-commissioners to pay attention to this point. In certain very rare cases it is possible that the Master may be unable to exercise his lawful power, or to carry into effect the regulations of the Commissioners, without using

Art. 131.—If any offeree, whereby a pauper becomes refractory under Art. 128, be accompanied by any of the following circumstances of aggravation (that is to say), if such pauper

Persist in using violence against any person ;

Or persist in creating a noise or disturbance, so as to annoy other inmates ;

Or endeavour to excite other paupers to acts of insubordination ;

Or persist in acting indecently or obscenely in the presence of any other inmate ;

Or persist in mischievously breaking or damaging any goods or property of the Guardians ;

the Master may, without any direction of the Guardians, immediately place such refractory pauper in confinement for any time not exceeding twelve hours ; which confinement shall, however, be reckoned as part of any punishment afterwards imposed by the Guardians for the same offence (*d*).

force towards some refractory pauper. In all such cases he should, if possible, avoid laying hands on the pauper, but he should call in the aid of the Porter or other officer. In such cases, too, it may often be desirable that the Master should cause such refractory paupers to be taken before a magistrate.—*Instr. Letter*, February, 1842. See also Art. 134, excepting certain cases from this rule, and Art. 129. Under this Article the period of confinement cannot be spread over a period of more than twenty-four consecutive hours ; but the duration of the altered diet may extend to a period of forty-eight consecutive hours. In answer to an inquiry on this point, the Poor Law Board have stated that they are of opinion that the Guardians cannot order confinement for twelve hours each day during four consecutive days ; and they also think that the Guardians cannot spread the confinement, referred to in Art. 130 of the General Consolidated Order, over more than a continued period of twenty-four hours. O. C. 55 (N. S.) 64.

(*d*) The Master is restrained by the Order from confining any pauper on his own authority, unless such pauper shall be refractory with any of the circumstances of aggravation specified in this Article. The Commissioners have thought it expedient to make these exceptions, since, without a precaution of this kind, a pauper might annoy the inmates by continued turbulence, or scandalize them by gross indecency. Subsequent punishment, though it might hinder the recurrence of such misconduct, could

Art. 132.—Every refractory pauper shall be deemed to be also disorderly, and may be punished as such; but no pauper who may have been punished for any offence as disorderly shall afterwards be punished for the same offence as refractory, and no pauper who may have been punished for any offence as refractory shall afterwards be punished for the same offence as disorderly (*e*).

Art. 133.—No pauper shall be punished by confinement or alteration in diet for any offence not committed in the Workhouse since his last admission, except in such cases as are expressly specified in Articles 127 and 128 (*f*).

Art. 134.—No pauper who may have been under medical care, or who may have been entered in the medical weekly return as sick or infirm, at any time in the course of the seven days next preceeding the punishment, or who may be reasonably supposed to be under twelve or above sixty years of age, or who may be pronounced by the Medical Officer to be pregnant, or who may be suckling a child, shall be punished by alteration of diet, or by confinement,

do nothing to protect those who would suffer from it at the moment. Cases sometimes occur, too, in which wanton mischief to property, or growing insubordination, must at once be stopped. It is therefore as a preventive of such evils that the Commissioners have permitted the Master to retain a limited power of confinement on his own authority and responsibility,—*Instr. Letter*, February, 1842.

(*e*) A refractory pauper may be punished merely as disorderly if the Master thinks it expedient to take this course, instead of first reporting the case for the decision of the Board of Guardians. This option will induce the Master to employ the minor punishment whenever it is likely to prove sufficient to prevent the repetition of the offence. The offence and punishment will nevertheless be duly brought under the notice of the Guardians by means of the book ordered to be kept by Art. 143.—*Instr. Letter*, February, 1842.

(*f*) Namely, shall climb over any fence or boundary wall surrounding any portion of the Workhouse premises; or shall misbehave in going to, at, or returning from public worship out of the Workhouse; or, having received temporary leave of absence and wearing the Workhouse clothes, shall return to the Workhouse after the appointed time of absence without reasonable cause for the delay; or shall wilfully disturb other persons at public worship out of the Workhouse.

unless the Medical Officer shall have previously certified in writing that no injury to the health of such pauper is reasonably to be apprehended from the proposed punishment; and any modification diminishing such punishment which the Medical Officer may suggest shall be adopted by the Master (*g*).

Art. 135.—No pauper shall be confined between eight o'clock in the evening and six o'clock in the morning, without being furnished with a bed and bedding suitable to the season, and with the other proper conveniences.

Art. 136.—No child under twelve years of age shall be punished by confinement in a dark room, or during the night (*h*).

(*g*) It will be necessary for the Masters of Workhouses to use the greatest caution in inflicting any punishment by confinement or change of diet on paupers whose health might be in any manner affected thereby, and the regulations embodied in this Article ought to be strictly observed.—*Instr. Letter*, February, 1842.

(*h*) Arts. 136–142 contain regulations respecting the corporal correction of children. The Master must be deemed to be responsible for all punishments inflicted on adult inmates. With regard to the male children, the Master and Schoolmaster have a concurrent power of control. The female children are to be considered as in the more immediate care of the Matron and Schoolmistress. The prohibition of the corporal punishment of adults, in the statutes before referred to, implies the legality of such punishment in the case of children. The expediency of such a mode of correction is a more difficult subject, and all classes of society are somewhat divided in opinion respecting it. The Commissioners are satisfied that good temper, joined to firmness and self-command, will enable a skilful teacher to manage children with little or no corporal punishment. The frequent use of corporal correction is the common resource of teachers who, from their idleness or other defect, are incompetent to acquire a command over children by a knowledge of their characters, and by gentle means. For these and other reasons the Commissioners have prohibited the corporal punishment of female children (Art. 138), which they believe to have been by no means frequently employed in Workhouse Schools, and they would discourage all corporal punishment of pauper children to the utmost of their power. They confidently look forward to an improvement in the schools for the training of pauper children, and they do not doubt that such an improvement will bring with it the gradual disuse of all objectional modes of correction.—*Instr. Letter*, February, 1842.

Art. 137.—No corporal punishment shall be inflicted on any male child, except by the Schoolmaster or Master.

Art. 138.—No corporal punishment shall be inflicted on any female child.

Art. 139.—No corporal punishment shall be inflicted on any male child, except with a rod or other instrument, such as may have been approved of by the Guardians or the Visiting Committee (*i*).

Art. 140.—No corporal punishment shall be inflicted on any male child until two hours shall have elapsed from the commission of the offence for which such punishment is inflicted.

Art. 141.—Whenever any male child is punished by corporal correction, the Master and Schoolmaster shall, if possible, be both present (*k*).

Art. 142.—No male child shall be punished by flogging whose age may be reasonably supposed to exceed fourteen years (*l*).

Art. 143.—The Master shall keep a book, to be furnished him by the Guardians, in the Form (O.) hereunto annexed, in which he shall duly enter,

Firstly, All cases of refractory or disorderly paupers, whether children or adults, reported to the Guardians for their decision thereon.

Secondly, All cases of paupers, whether children or adults, who may have been punished without the direction of the Guardians, with the particulars of their respective offences and punishments (*m*).

(*i*) See note to Art. 142 as to the infliction of corporal punishment on a boy above fourteen years of age.

(*k*) Circumstances may occur which would render it impossible for the Master and Schoolmaster to be both present; for example, the Guardians may not have appointed a Schoolmaster, or the Master of the Workhouse may be temporarily absent.—*Instr. Letter*, February, 1842.

(*l*) The word “flogging,” in this Article, would seem to contemplate an exposure of the person of the individual. Hence it is considered that a “caning” over the shoulders, which is a corporal punishment, would not be a “flogging,” and that such a punishment might therefore be inflicted upon a boy above fourteen years of age.

(*m*) The record which is directed by this Article to be kept is

Art. 144.—The person who punishes any child with corporal correction shall forthwith report to the Master the particulars of the offence and punishment; and the Master shall enter the same in the book specified in Art. 143.

Art. 145.—Such book shall be laid on the table at every ordinary meeting of the Guardians; and every entry made in such book since the last ordinary meeting shall be read to the Board by the Clerk.

The Guardians shall thereupon, in the first place, give direction as to the confinement or other punishment of any refractory or disorderly pauper reported for their decision, and such direction shall be entered on the minutes of the proceedings of the day, and a copy thereof shall be inserted by the Clerk in the book specified in Art. 143.

The Guardians, in the second place, shall take into their consideration the cases in which punishments are reported to have been already inflicted by the Master or other officer, and shall require the Master to bring before them any pauper so punished, who may have signified a wish to see the Guardians. If the Guardians in any case are of opinion that the officer has acted illegally or improperly, such opinion shall be entered on the minutes, and shall be communicated to the Master, and a copy of the minute of such opinion shall be forwarded to the Commissioners by the Clerk.

Art. 146.—If any pauper above the age of fourteen years unlawfully introduce or attempt to introduce any spirituous or fermented liquor into the Workhouse, or abscond from the Workhouse with clothes belonging to the Guardians, the Master may cause such pauper to be forthwith taken before a Justice of the Peace, to be dealt with according to law; and whether he do so or not, he shall report every such case to the Guardians at their next ordinary meeting (*n*).

of the utmost importance for the prevention of abuse. The details of offences and punishments must be accurately and punctually entered in the book; and if any case should not be properly reported, the Commissioners will always presume that such omission originated in a sense of the expediency of concealment.—*Instr. Letter*, February, 1842.

(*n*) With respect to the introduction of spirits into a Work-

Art. 147.—The Master shall cause a legible copy of Arts. 127, 128, 129, 130, and 131 to be kept suspended in the dining-hall of the Workhouse, or in the room in which the inmates usually eat their meals, and also in the Board-room of the Guardians (*o*).

VISITING COMMITTEE.

Art. 148.—The Guardians shall appoint one or more *Visiting Committees* from their own body; and each of such committees shall carefully examine the Workhouse or Workhouses of the Union once in every week at the least, inspect the last reports of the Chaplain and Medical Officer, examine the stores, afford, so far as is practicable, to the inmates an opportunity of making any complaints, and investigate any complaints that may be made to them (*p*).

house, see 4 & 5 Wm. IV. c. 76, ss. 91, 92, 93, 94; and with respect to the punishment of any pauper who shall abscond from the Workhouse with any clothes belonging to the Guardians, see 55 Geo. III. c. 137, s. 2, and note on Art. 116.

(*o*) It is also necessary for the Master to hang up in some one of the most public places in the Workhouse copies of the 92nd and 93rd sections of the 4 & 5 Wm. IV. c. 76, regarding the illegal introduction of spirituous liquors into the Workhouse.

(*p*) This Article directs the Guardians to appoint *one or more* Visiting Committees for the Workhouse, and defines the functions of the Committee. Any member or members of the Visiting Committee may visit the Workhouse at any time at which the Committee could visit it collectively; unless, indeed, the Guardians should have given the Committee only a limited authority to visit it, so as to confine that authority to a majority, or to any fixed number or portion of that Committee. The Guardians may order that each member of the Visiting Committee shall be admitted at all times to inspect the Workhouse. It will be observed that the powers of the Visiting Committee are confined to the purposes specified in this Article, and that they do not extend to other purposes, such as the ordering of stores, repairs of the house, etc.—*Instr. Letter*, February, 1842. Guardians who are not members of the Visiting Committee cannot claim as of right to visit the Workhouse. The Board of Guardians may, however, grant permission to do so in any case, they think fit. The Visiting Committee must consist of a specified number of Guardians, selected from the General Board, and deputed by them to visit the Workhouse within the stated pe-

Art. 149.—The Visiting Committee shall from time to time write such answers as the facts may warrant to the following queries, which are to be printed in a book, entitled the VISITORS' BOOK, to be provided by the Guardians, and kept in every Workhouse for that purpose, and to be submitted regularly to the Guardians at their ordinary meetings :—

Q. 1.—Is the Workhouse, with its wards, offices, yards, and appurtenances, clean and well ventilated in every part?—and is the bedding in proper order?—if not, state the defect or omission.

Q. 2.—Do the inmates of the Workhouse, of all classes, appear clean in their persons, and decent and orderly in their behaviour; and is their clothing regularly changed?

Q. 3.—Are the inmates of each sex employed and kept at work as directed by the Guardians, and is such work unobjectionable in its nature?—if any improvement can be suggested in their employment, state the same.

Q. 4.—Are the infirm of each sex properly attended to, according to their several conditions?

Q. 5.—Are the boys and girls in the school properly instructed as required by the regulations of the Commissioners, and is their industrial training properly attended to?

Q. 6. Are the young children properly nursed and taken care of, and do they appear in a clean and healthy state?

Q. 7.—Is regular attendance given by the Medical Officer?—Are the inmates of the Sick Wards properly

riods. If the Guardians neglect to appoint a Visiting Committee, the Poor Law Board may appoint a paid Visitor. See 10 & 11 Vict. c. 109, s. 24. No one should make entries in the Visitors' Book but the appointed quorum of the Committee, if a quorum has been appointed. It is expedient to appoint a quorum, to be empowered to act as the Visiting Committee; but if none be appointed, all the members of the Committee must act together, and not singly. A single member may, however, visit the house on the appointed days, in the absence of the other members of the Committee.

tended?—Are the nurses efficient?—Is there any infectious disease in the Workhouse?

Q. 8.—Is there any dangerous lunatic or idiot in the Workhouse?

Q. 9.—Is Divine Service regularly performed?—Are prayers regularly read?

Q. 10.—Is the established Dietary duly observed;—and are the prescribed hours of meals regularly adhered to?

Q. 11. Are the provisions and other supplies of the qualities contracted for?

Q. 12.—Is the classification properly observed according to Arts. 98 and 99?

Q. 13.—Is any complaint made by any pauper against any officer, or in respect of the provisions or accommodations?—if so, state the name of the complainant, and the subject of the complaint.

Q. 14.—Does the present number of inmates in the Workhouse exceed that fixed by the Poor Law Commissioners (*q*)?

REPAIRS AND ALTERATIONS OF THE WORKHOUSE.

Art. 150 (*r*).—The Guardians shall once at least in every year, and as often as may be necessary for cleanliness, cause all the rooms, wards, offices, and privies belonging to the Workhouse to be limewashed.

Art. 151.—The Guardians shall cause the Workhouse and all its furniture and appurtenances to be kept in good

(*q*) Reference may here be made to the 30 Geo. III. c. 49, s. 1, which empowers Justices to visit, inspect, and examine Workhouses; which power is saved to them by the 4 & 5 Wm. IV. c. 76, s. 43, in respect to Workhouses under the regulations of the Poor Law Commissioners, and the further power of enforcing the observance of these regulations conferred upon them.

(*r*) By Art. 208, No. 24, it is the duty of the Master to take care that the wards, rooms, larder, kitchen, and all the offices of the Workhouse, and all the utensils and furniture thereof, are kept clean, and in good order; and when any defect in the same occurs, to report it to the Guardians; and by Art. 210, No. 13, it is the especial duty of the Matron to assist the Master in cleansing and ventilating the sleeping-wards and dining-hall, and all parts of the premises.

and substantial repair ; and shall, from time to time, remedy without delay any such defect in the repair of the house, its drainage, warmth, or ventilation, or in the furniture or fixtures thereof, as may tend to injure the health of the inmates (*s*).

GOVERNMENT OF THE WORKHOUSE BY THE
GUARDIANS.

Art. 152.—We do declare that, subject to the rules and regulations herein contained, the guidance, government, and control of every Workhouse, and of the officers, servants, assistants, and paupers within such Workhouse, shall be exercised by the Guardians of the Union (*t*).

APPOINTMENT OF OFFICERS.

Art. 153.—The Guardians shall, whenever it may be requisite, or whenever a vacancy may occur, appoint fit persons to hold the under-mentioned offices, and to perform the duties respectively assigned to them ; namely,

1. Clerk to the Guardians.
2. Treasurer of the Union.
3. Chaplain.
4. Medical Officer for the Workhouse.
5. District Medical Officer.
6. Master of the Workhouse.
7. Matron of the Workhouse.
8. Schoolmaster.

(*s*) By Art. 207, No. 6, it is the duty of the Medical Officer to report in writing to the Guardians any defect in the drainage, ventilation, warmth, or other arrangement of the Workhouse which he may deem to be detrimental to the health of the inmates ; and it is desirable that the Guardians should take the proper steps for remedying any defect to which their attention may be thus called. The 4 & 5 Wm. IV. c. 76, s. 23, subjects the Guardians to the control, orders, and regulations of the Poor Law Board in their expenditure of the money of the ratepayers for the enlargement or alteration of the Workhouse.

(*t*) The 38th section of the 4 & 5 Wm. IV. c. 76, enacts that no Guardian, except as is therein excepted, shall have power to act in virtue of his office, except as a member, and at a meeting of the Board ; therefore the powers given by this Article must be exercised by the Guardians as a Board.

9. Schoolmistress.
10. Porter.
11. Nurse.
12. Relieving Officer.
13. Superintendent of Out-door Labour.

And also such assistants as the Guardians, with the consent of the Commissioners, may deem necessary for the efficient performance of the duties of any of the said offices (*u*).

(*u*) The power of the Commissioners to authorize and direct the Guardians to appoint officers, is partly founded upon their power of making regulations for the Government of Workhouses, and the preservation of good order therein, derived from ss. 15 and 42 of the 4 & 5 Wm. IV. c. 76; and partly upon s. 46, which enables the Commissioners, by order under their hands and seal, to direct the Guardians of any parish or Union to appoint paid Officers, with such qualifications as the Commissioners shall think necessary, for superintending or assisting in the administration of the relief or employment of the poor, and otherwise carrying the provisions of the Act into execution. The same section further empowers the Commissioners to direct the mode of appointment, and determine the continuance in office, or dismissal of such Officers; and when the Commissioners shall see occasion to regulate the amount of salaries payable to such Officers respectively, and the time and mode of payment thereof.

No legal doubt seems to have been entertained as to the power of the Commissioners to authorize or direct the appointment of any officer named in Art. 153, except the Chaplain. An Order of the Commissioners, directing a Board of Guardians to appoint a Chaplain, was moved by a writ of certiorari into the Court of Queen's Bench; but the Court decided that the Commissioners possessed the power, and consequently that the Order was valid. See the Seventh Annual Report of the Commissioners, pp. 23, 24. (*Reg. v. The Guardians of the Poor of the Baintree Union*, 10 L. J. R. (N. S.), M. C. 76.)—*Instr. Letter*, February, 1842.

As regards the appointment of a Chaplain to the Workhouse, it may be added that the consent of the Incumbent of the parish in which the Workhouse is situated is not necessary to give validity to the appointment; but it seems, according to the opinion of Dr. Adams, that strictly speaking the consent of the Incumbent in whose parish the Workhouse is situated is necessary to the Chaplain performing the duties required of them by this Order. See the Report of the Poor Law Commissioners on the further amendment of the law, 1839, p. 112. See also *Q. v. Visitors of Middlesex Asylum*, 2 A. & B. (N. S.), 433; and *Parnworth v. Bishop of Chester*, 4 B. & C. 568.

With respect to the Workhouse Officers named in this Article,

Art. 154.—The officers so appointed to or holding any of the said offices, as well as all persons temporarily discharg-

the Commissioners remark, that the ordinary and convenient practice, and that which they prefer, is, that the Master and Matron should be husband and wife. The Commissioners have, in some cases, consented, on special grounds, to a different arrangement; but they are always reluctant to allow any departure from the practice of appointing a man and his wife as Master and Matron. See, however, Art. 189, determining the appointment of a Master or Matron, when either of them shall be removed from office by death or otherwise. It is desirable that the Master and Matron should be man and wife. In reference to their children, if they have any, the Poor Law Board, in a Circular dated the 8th December, 1856, have stated that where necessity may seem to require they will assent to their being allowed to have their children residing in the Workhouse, under proper restrictions. But they add, in such case they will think it right to require some equivalent for the cost of maintaining each child, to be paid by the Master to the Guardians. With respect to other Workhouse Officers, in order to avoid the disappointment and inconvenience to them and to the Guardians, which may be occasioned by the refusal of the Board to sanction so much of an engagement as would permit the residence of the officer's child in the Workhouse, the Board, in the same Circular, requested the Guardians, when they elected such officers, to intimate clearly to any successful candidate who may have a child dependent upon him or her, that such child will not be permitted to reside in the Workhouse.

In some Unions, where the duties of the Master are not considerable, the Commissioners have permitted the Master to be also Relieving Officer of the District in which the Workhouse is situate. The Commissioners, however, consider these two offices as seldom compatible. The Commissioners do not in general object to the Medical Officer for the Workhouse being also the Medical Officer for a district of the Union.—*Instr. Letter.*

With respect to the Clerk, it seems desirable in general that a Solicitor or Attorney should be appointed to the office, as a considerable amount of legal business falls to be transacted by the Clerk. The offices of Schoolmaster and Schoolmistress should in no case be conjoined with any other office.

As the Treasurer is a Union officer, a Firm should not be appointed to the office. If the Guardians desire to keep their account with a Banking Company or Firm, they should appoint the Manager of the Bank or one of the Firm as their Treasurer; the person so appointed can then give the required security to the Guardians in his individual capacity. But see Art. 186, as to dispensing with security from the Treasurer in cases where a Banking Firm acts as Treasurer, or in the case of a Treasurer who is a Banker or partner in a Banking Firm. A Superin-

ing the duties of such offices, shall respectively perform such duties as may be required of them by the Rules and Regulations of the Commissioners, in force at the time, together with all such other duties, conformable with the nature of their respective offices, as the Guardians may lawfully require them to perform.

Provided always, that every regulation applying to any officer holding his office under this Order, shall apply to any officer of the like denomination appointed by the Guardians, although such officer may have been appointed before this Order shall have come into force (*x*).

tendent of out-door labour will only be appointed in those Unions to which the out-door labour test order has been issued. See Art 217 and note. With respect to the suspension of this Officer when his services are not required, see the Supplemental Labour Test Order, Art. 4.

As regards the genuineness of written testimony to character and competency presented to Boards of Guardians by candidates for office, the Poor Law Board, on the 12th May, 1858, issued the following Circular to Boards of Guardians:—"I am directed by the Poor Law Board to bring under the notice of the Board of Guardians the case of the *Queen v. Collings*, which was tried at the last Lincoln Assizes. The indictment charged the accused with having unlawfully uttered false and counterfeit letters and writings, with the intent to procure for himself the appointment of Schoolmaster of the Workhouse of the Spalding Union. He pleaded guilty, and was sentenced by the Court to 18 months' imprisonment with hard labour.

"The Board think it right to draw the attention of all Boards of Guardians to this case, as a warning to show how necessary it is to take every precaution in their power to ascertain the authenticity of testimonials presented to them."

With reference to the above Circular it may be added, that a person forged testimonials as to his character, whereby he obtained a situation as Police Constable, and having been convicted of forgery, upon a case reserved, it was held by the Court of Criminal Appeal, that he was properly convicted of forgery at common law. (*Reg. v. Charles Moak*, 4 Jur. (N. S.), 464.)

This, though a grave offence, is not by any means so serious an offence as forgery by the statute; and in proceedings against the offender, it is not necessary to show that there was an intention to obtain money or to defraud any person in the ordinary acceptance of the term "fraud;" it is sufficient to show that there was an intention to deceive on the part of the offender, to obtain a conviction for the offence.

(*x*) With respect to the proviso in this Article it is to be

MODE OF APPOINTMENT.

Art. 155 (*y*).—Every officer and assistant, to be appointed under this Order, shall be appointed by a majority of the Guardians present at a meeting of the Board, consisting of

observed, that the first paragraph of the Order does not rescind any part of any former Order which may have authorized the appointment of Officers; and this proviso declares that every regulation applying to any Officer holding his office under this Order shall apply to any Officer of a like denomination appointed by the Guardians, although such Officer may have been appointed before this Order shall have come in force. As the regulations applying to persons holding any office under this Order apply to Officers appointed under a previous Order, Arts. 171, 172, 173, 187, 188, 192, 193, 195, will apply to Officers appointed under a previous Order. But Article 167 will not apply to Officers elected under an Order bearing date previous to the date of the last General Order of the Commissioners (22nd April, 1842), without a special agreement between the Guardians and the Officer. See note to Art. 167.

(*y*) It is necessary that a majority of the Guardians present and voting, should concur in the choice of the Officer; unless there be only three, in which case they must be unanimous (s. 38 of 4 & 5 Wm. IV. c. 76). If one candidate have a larger number of votes than any other candidate, and if a *majority* of the Guardians present and voting, vote for other candidates, he is not duly appointed.—*Instr. Letter*, February, 1842. According to the decision of the Court of Queen's Bench in *Ex parte Eynsham*, 12 A. & E. (N.S.), 398; and *R. v. Griffiths*, 17 A. & E. (N.S.), 164, it must be held that this Article requires that a majority of the votes of all the Guardians actually present at the meeting should be given in favour of a candidate before he can be regarded as duly elected. It is therefore necessary that those Guardians who, though present, do not vote, should be counted, in order to ascertain the majority of the whole body present at the meeting. See Official Circular of Poor Law Board, 55 (N.S.), p. 61. See also 12 & 13 Vict. c. 103, s. 19, as to the Presiding Chairman giving a second or casting vote in the case of an equality of votes on any question. When more than two candidates are proposed for an office, and neither of them have a majority of votes at the first voting, the Guardians should agree to strike off, in succession, the candidate who shall have the smallest number of votes, until some one candidate has more than the half of the votes given. See also note to Art. 38.

This Article has been slightly varied in some of the Orders issued subsequent to the Order of the 24th July, 1847.

more than three Guardians, or by three Guardians if no more be present. Every such appointment shall, as soon as the same has been made, be reported to the Commissioners by the Clerk.

Art. 156.—No appointment to any of the offices specified in Art. 153, shall be made under this Order, unless a notice, that the question of making such appointment will be brought before the Board, has been given and entered on the minutes, at one of the two ordinary meetings of the Board next preceding the meeting at which the appointment is made, or unless an advertisement giving notice of the consideration of such appointment shall have appeared in some public paper by the direction of the Guardians at least seven days before the day on which such appointment is made: Provided that no such notice or advertisement shall be necessary for the appointment of an assistant or temporary substitute (z).

Art. 157.—The Guardians shall not, by advertisement, or other public notice, printed or written, invite tenders for the supply of medicines, or for the medical attendance on the paupers of the Union, unless such advertisement or

(z) The object of this Article is intended to prevent surprises in the appointment of the Officers, and to secure to the Union the advantages of allowing time for candidates to come forward and obtain a consideration of their claims. In addition to the regulations in this Article, the Commissioners suggest to the Guardians the expediency of making a bye-law requiring that special notice of every intended election should be sent by the Clerk to all the Guardians some days before the day of election. But all regulations made by the Guardians must, in order to be legally valid and binding, be submitted to and confirmed by the Commissioners. See s. 22 of the 4 & 5 Wm. IV. c. 76.—*Instr. Letter*. It will not be necessary to advertise the appointment in a newspaper, if notice of the appointment be given at one of the two preceding meetings. The most orderly and formal mode is for the Chairman of the meeting at which the notice is to be given to announce precisely the proposal to elect at the next meeting or at the next but one, as the case may be. The fact of the announcement having been so made should be entered on the minutes. It will suffice if the notice is given at either one of the two ordinary meetings next before the appointment to be made. The Article, however, does not apply to the appointment of any Officers but such as are mentioned in Art. 153.

notice shall specify the district or place for which such supply of medicines and such attendance is required, together with the amount of salary or other remuneration (a).

Art. 158.—The Guardians may from time to time divide the Union into districts for general and medical relief, with the consent of the Commissioners; and on any change in the division of the Union into districts for general and medical relief, or in the assignment of Relieving Officers and Medical Officers to such districts, the Clerk shall report every such change to the Commissioners for their approbation (b).

Art. 159.—The Guardians shall not assign to any Medical Officer a district which exceeds in extent the area of fifteen thousand statute acres, or which contains a population exceeding the number of fifteen thousand persons, according to the then last enumeration of the population published by authority of Parliament (c).

(a) This Article prevents any recurrence to the system of requiring tenders for the services of Medical Officers. It does not, however, prohibit advertisements for the services of Medical Officers, provided such advertisements specify the remuneration fixed or approved by the Poor Law Board. The competition of the candidates should turn upon their respective characters and skill, and not on the sum at which they may be severally willing to undertake the office.

(b) The Relief and Medical Districts cannot be made co-extensive unless the Relief Districts in respect to area and population are within the limits prescribed by Art. 159; and even in that case it would not seem desirable that they should be co-extensive, unless indeed the area and population is so small as not to require a further subdivision of the District; but see note to Art. 159.—*Instr. Letter*. In the New Consolidated Orders the following is substituted for this Article:—"The Guardians may, from time to time, divide the Union into Districts for General and Medical Relief, and with the consent of the Poor Law Board may, from time to time, change either the extent or number of these districts;" and Articles 159, 160, and 161, are omitted.

(c) In many Districts containing almost exclusively a poor population, even the limit of 15,000 persons may admit of a number of patients too large for the care of one Medical Officer; especially if the District consist partly of a town and partly of rural Parishes. Under such circumstances, it would generally be

Art. 160.—Provided that if it be impracticable, consistently with the proper attendance on the sick poor, for the Guardians to divide the Union into districts containing respectively an area and population less than is specified in Art. 159, then and in such case the Guardians shall cause a special minute to be made and entered on the usual record of their proceedings, stating the reasons which in their opinion make it necessary to form a district exceeding the said limits, and shall transmit a copy of such minute to the Commissioners for their consideration, and if the Commissioners signify their approval thereof to such Guardians, then, and in such case, but not otherwise, such Guardians may proceed to assign the said district to a Medical Officer.

Art. 161 (*d*).—Provided also, that the limit of fifteen thousand statute acres, prescribed in Art. 159, shall not apply to any medical district situate wholly or in part within the principality of Wales; but no medical district situate wholly or in part within that principality shall be assigned to any Medical Officer residing more than seven miles

for the Guardians to divide the District between two or more duly qualified medical practitioners. In like manner it may happen that a District consisting of an area less than 15,000 acres may contain a large population, and that the Guardians may be able to divide it with advantage. The Commissioners therefore do not by the limits fixed in this Article imply that no District is objectionable, or that every District will be sanctioned by them, which is within these limits.—*Instr. Letter.* The General Order of the Poor Law Board, dated 25th May, 1857, Art. 5, *post*, contains a provision enabling the Guardians to make a change in the extent of any Medical District when it is not assented to by the Medical Officer, by determining his appointment on six months' notice. The appointment must, however, have been made after the date of that Order.

(*d*) The measure of acreage adopted in Art. 159 cannot be applied to Wales, as there are no available means of obtaining the requisite information in that part of the country; the Commissioners accordingly prescribed for Wales a limit, not of area, but of distance, which, though less convenient, is the best which the case permitted. Moreover, the physical circumstances of Wales, and the small number of resident medical practitioners, render it necessary to permit the formation of Medical Districts larger than those in most parts of England.

from any part of any parish included within such district, unless such district shall have been specially sanctioned by the Commissioners in the same manner as is directed in Art. 160.

QUALIFICATIONS OF OFFICERS (*e*).

Art. 162.—No person shall hold the office of Clerk, Treasurer, Master, or Relieving Officer, under this Order who has not reached the age of twenty-one years (*f*).

Art. 163.—No person shall hold the office of Master of a Workhouse, or Matron of a Workhouse having no Master, unless he or she be able to keep accounts.

Art. 164.—No person shall hold the office of Relieving Officer unless he be able to keep accounts, and unless he reside in the district for which he may be appointed to act, devote his whole time to the performance of the duties of his office, and abstain from following any trade or profession, and from entering into any other service (*g*).

(*e*) The 5 & 6 Vict. c. 57, s. 14, enacts "that no person during the time for which he may serve or hold the office of assistant-overseer of any Parish, nor any paid Officer engaged in the administration of the laws for the Relief of the Poor, nor any person who, having been a paid Officer, shall have been dismissed within five years previously from such Office, under the provisions of the 4 & 5 Wm. IV. c. 76, shall be capable of serving as a Guardian; and no person receiving any fixed salary or emolument from the poor-rates in any Parish or Union, shall be capable of serving as a Guardian in such Parish or Union." This however does not prevent a Justice of the Peace for the County, who is *ex officio* a Guardian (see 4 & 5 Wm. IV. c. 76, s. 38), from being appointed to a Union office. He would, however, whilst holding such office be disqualified from acting as an *ex officio* Guardian.

(*f*) See note to Art. 153.

(*g*) It will be held a breach of this regulation if a Relieving Officer carries on any business under the name of his wife; or if he shall have any interest in any business carried on in the name of any other person. But this does not extend to his wife carrying on the business of a dress-maker or milliner, etc. As to the duty of a Relieving Officer to attend as a witness in the case of an order of removal being applied for, see 54 O. C. (N.S.) p. 48.

Art. 165.—No person shall hold the office of Nurse who is not able to read written directions upon medicines.

Art. 166.—Provided always, that the Guardians may, with the consent of the Commissioners previously obtained, but not otherwise, dispense with any of the conditions specified in Articles 162, 163, 164, and 165 (*h*).

Art. 167.—No person shall be appointed to the office of Master, Matron, Schoolmaster, Schoolmistress, Porter, or Relieving Officer, under this Order, who does not agree to give one month's notice previous to resigning the office, or to forfeit one month's amount of salary, to be deducted as liquidated damages from the amount of salary due at the time of such resignation (*i*).

Art. 168 (*k*).—No person shall hold the office of Medi-

(*h*) The insertion of this proviso is not intended to relax the rule as to the residence of the Relieving Officer within his district, or any other of the restrictions enumerated in Arts 162–165, but to meet certain rare cases, which require a special consideration.—*Instr. Letter*.

(*i*) It has been found inconvenient that Union Officers should quit their situations suddenly, and without giving any notice to the Guardians. The present Article is intended to guard against this inconvenience; but (as has been remarked in note to Art. 154) it does not apply to Officers elected under an Order bearing date previous to the date of the last General Orders of the Commissioners. With respect to the mode in which an Officer may resign his office, it is to be observed that the resignation need not necessarily be in writing, and that it will suffice if the Officer verbally tenders his resignation to the Guardians at a meeting of the Board. Moreover, the mere resignation is of itself sufficient to vacate the office, and acceptance by the Guardians is not indispensably necessary to render the resignation complete. The Order of the 22nd April, 1842, contained a provision similar to that contained in this Article. But observe that the stipulation contemplated should be made in writing *at the time of the appointment* of the Officer, otherwise the provision in the Order will be of no avail. A notice of intended resignation should be given to the Guardians at a meeting of the Board, and not to their Clerk as their agent, during the interval of their meeting.

(*k*) The Commissioners think it desirable that every Medical Officer should possess both a medical and surgical qualification, and therefore they have required the three sorts of double qualification which are specified in Nos. 1, 2, and 3, of this Article. With respect to the second qualification in No. 3, see 55 Geo. III. c. 194 (the Apothecaries Act). The Commissioners thought

cal Officer under this Order unless he possess one of the four following qualifications : that is to say,—

Art. 168.—1. A diploma or degree as surgeon from a Royal College or University in England, Scotland,

themselves bound to consider the qualification stated in No. 4, as virtually a double qualification, according to the decision of the Court of Exchequer in *Steavenson v. Oliver*, 8 Mee. & Wels. 234. The qualification is limited to warrants or commissions, dated previously to the 1st August, 1826; inasmuch as the Act of 6 Geo. IV. c. 133 (which brought persons possessing this qualification within the benefit of the Apothecaries Act), expired on that day. The Commissioners in their Medical Order of the 12th March, 1842, did not admit persons having a surgical diploma or degree from a Royal College or University in Scotland or Ireland, to the same rights, under the Poor Law Amendment Act, as Members of the Royal College of Surgeons of London. In consequence of a communication made to the Commissioners by the Secretary of State for the Home Department, they consulted the Attorney-General (the present Lord Chief Baron) and Mr. Samuel Martin, Q.C. (now Mr. Justice Martin), on the competency of practitioners possessing Scotch and Irish qualifications to act as Medical Officers, who advise that, in point of law, persons who have a surgical diploma or degree from a Royal College or University in Scotland or Ireland, are as competent to be appointed and to act as Medical Officers, as persons who have the diploma of the Royal College of Surgeons in London. Hence the Commissioners by this Article have admitted persons possessed of a Scotch or Irish *surgical* qualification to the same privileges as those who are Members of the College of Surgeons in London. As the right to practise *Pharmacy* in England and Wales is confined to those who have the license or certificate of the Apothecaries Company, and others whose rights are saved by the Apothecaries Act, persons having Scotch and Irish *medical* degrees only, are not “duly licensed to practise as medical men” in England, and therefore cannot be applied to Union Medical Officers in England. Partners cannot be appointed *joint* Medical Officers of a District, but the fact that they are partners will be no objection to their being appointed individually as Medical Officers of distinct Districts in the same or in any other Union. There is nothing to prevent a Medical Officer of a District being also appointed to the Union Workhouse, if his residence is conveniently situate.—*Instr. Letter*.

As regards the continuance in office of Medical Officers who at the time of their appointment were not duly qualified according to the regulations of the Poor Law Board, see Arts. 3 and 4 of the General Order of 25th May, 1857 (*post*).

The Medical Act (21 & 22 Vict. c. 90, s. 36) enacts, that after the 1st January, 1859, no person shall hold any appointment as

or Ireland, together with a degree in medicine from an University in England, legally authorized to grant such degree, or together with a diploma or license of the Royal College of Physicians of London.

2. A diploma or degree as surgeon from a Royal College or University in England, Scotland, or Ireland, together with a certificate to practise as an apothecary from the Society of Apothecaries of London.
3. A diploma or degree as surgeon from a Royal College or University in England, Scotland, or Ireland, such person having been in actual practice as an Apothecary on the first day of August One thousand eight hundred and fifteen.
4. A warrant or commission as surgeon or assistant-surgeon in her Majesty's Navy, or as surgeon or assistant-surgeon or apothecary in her Majesty's Army, or as surgeon or assistant-surgeon in the service of the Honourable East India Company, dated previous to the first day of August One thousand eight hundred and twenty-six.

Art. 169.—Provided always, that if it be impracticable,

a Physician, Surgeon, or other Medical Officer, in any Lunatic Asylum, House of Industry, Parochial or Union Workhouse or Poorhouse, Parish Union, or other Public Establishment, Body, or Institution, or as a Medical Officer of Health, unless he be registered under the Act. By section 33 it is provided that no person who on the 1st October, 1858, was acting as Medical Officer under an Order of the Poor Law Commissioners or Poor Law Board, should be disqualified to hold his office by reason of his not being registered before the 1st January, 1859, unless he shall have failed to be registered within six months from the passing of the Act, that is the 2nd February, 1859.

In future therefore it will be incumbent upon the Guardians to ascertain that their Medical Officers are registered under the Act. This they will readily ascertain by reference to the Register to be published annually by the General Council under sect. 27 of the Act; but if not, the duty of making the necessary inquiries the Guardians may require their Clerk to perform. The qualifications described by the above Article will still, however, be requisite, unless the Poor Law Board by any Order subsequently to be issued, make any alteration on the subject.

consistently with the proper attendance on the sick poor, for the Guardians to procure a person residing within the district in which he is to act, and duly qualified in one of the four modes recited in Art. 168, to attend on the poor in such district, or that the only person resident within such district, and so qualified, shall have been dismissed from office by the Commissioners, or shall be unfit or incompetent to hold the office of Medical Officer, then and in such case the Guardians shall cause a special minute to be made and entered on the usual record of their proceedings, stating the reasons which, in their opinion, make it necessary to employ a person not qualified as required by Art. 168, and shall forthwith transmit a copy of such minute to the Commissioners for their consideration; and the Commissioners may permit the employment by such Guardians of any person duly licensed to practise as a medical man, although such person be not duly qualified in one of the four modes required by Art. 168 (*l*).

Art. 170 (*m*).—Provided also, that the Guardians may, with the consent of the Commissioners, continue in office

(*l*) The words of the Medical Order of 12th March, 1842, were, “residing within *or near* to the District.” The present Order therefore gives greater latitude to the Guardians in the choice of a medical man, and obviates a difficulty which has been experienced in Districts where there are few resident medical men. It will be seen that if there be not a person resident *within* the District who possesses a double qualification, the Guardians can now appoint a medical man who is duly qualified to practise as such, and who is resident within the District, though there may be others residing *near to* the District possessing double qualifications. Further with respect to this Article, see Articles 3 and 4 of the General Order of the 25th May, 1857, *post*.

(*m*) If a person possessing only a single qualification altogether ceases to be a Medical Officer of the Union, he cannot be re-appointed to the same or any other District, unless under the provisions of Art. 169. Art. 170, it should be observed, only applies to the case of a person who, not being qualified in one of the four modes prescribed by Art. 168, was actually employed by the Guardians at the time at which the Order came into operation, and enabled the Guardians, with the consent of the Poor Law Board, to continue the employment of such Officer for the period for which his then existing appointment had been made.

any Medical Officer duly licensed to practise as a medical man already employed by any such Guardians, although such Medical Officer may not be qualified in one of the four modes required by Art. 168.

Art. 171.—No person shall hold the office of Chaplain under this Order without the consent of the Bishop of the diocese to his appointment, signified in writing (*n*).

REMUNERATION OF THE OFFICERS.

Art. 172 (*o*).—The Guardians shall pay to the several

(*n*) The consent of the Bishop will be obtained by the Guardians, and forwarded by their Clerk to the Poor Law Board.—*Instr. Letter*, February, 1842. If the Bishop simply signifies his consent in writing, it will be sufficient. No formal license is requisite. The appointment of a Chaplain to a Union Workhouse is not an appointment to a Benefice for which a special license is required. With reference to the payment of a fee to the secretary of the Bishop for the consent, the Poor Law Commissioners in 9 Off. Cir. 178, stated that “the consent of the Bishop to the appointment of the Chaplain to a Union Workhouse is a requisite as much for the benefit of the Clergyman seeking to obtain that office, as of the Guardians requiring his services therein. When, therefore, the proposed Chaplain applies for such consent and obtains it, and a fee is thereupon demanded of him by the Bishop’s secretary, the Board think, that whether the latter could have lawfully insisted upon payment of the fee or not, the Chaplain has no legal claim upon the Guardians to be reimbursed the amount.”

Where the Workhouse is in a peculiar, the Bishop to whose diocese the peculiar belongs, and not the ordinary of the peculiar, will give the consent.—*Instr. Letter*, February, 1842.

(*o*) The power of the Commissioners to determine the salaries of the Officers is derived from sect. 46 of the 4 & 5 Wm. IV. c. 76. See the Minute of the Commissioners, dated 31st October, 1840, in their Seventh Annual Report, p. 123. In all cases in which the Commissioners fix the salary or remuneration of an officer, or sanction the salary or remuneration proposed by the Guardians, they understand that no perquisites or extra charges or emoluments are to be allowed over and above such salary or remuneration. Thus, the Workhouse Master should be required to account for the produce of bones, hog-wash, kitchenstuff, and other refuse sold from, or consumed in, the house. Unless an agreement to that effect be made at the time of the appointment of any Workhouse Officer, no part of his family is to be maintained within the Workhouse. The maintenance of any children or other relations who may stay with him should be paid for by

officers and assistants appointed to or holding any office or employment under this Order, such salaries or remuneration as the Commissioners may from time to time direct or approve.

him, and the costs deducted from the charge of establishment maintenance at the end of the quarter. Upon this point, see note to Article 153. Moreover, the quantity of each article of consumption allowed to each Officer daily should be specified by the Guardians, and entered on their minutes. Unless this is done, the Auditor will be unable to check the provision accounts of the Workhouse Master.

With regard to the provisions consumed by the Officers of the Workhouse, the Commissioners understand that where the Officers are dieted by the Guardians they are not themselves empowered to order or receive from a tradesman provisions of a quality different from those ordered by the Guardians for the use of the house. If any such Officer wishes for any alteration in the quality or quantity of provisions allowed for his consumption, application should be made to the Board of Guardians; and a special order should be made, sanctioning any change which might be thought requisite.—*Instr. Letter.* The Commissioners are of opinion that a private arrangement with a tradesman, or the receipt of any compensation from such tradesman for a smaller quantity of any article than an Officer thinks himself entitled to, is most objectionable; and they will be prepared to deal with any such transaction as an offence approaching to fraud.—*Instr. Letter.* The Workhouse or other Officers of the Union are not entitled to call upon the Medical Officer to attend them when they are sick, as a part of the duty of the latter. If they do so the Medical Officer will be entitled to require them to remunerate him for his attendance as private patients. Where, however, the illness is contracted in the discharge of their duties, the Guardians might, under the proviso to this Article and with the consent of the Poor Law Board, pay the bill of the Medical Attendant.

It must be remembered that the Workhouse Officers are not entitled to sell their rations or give them away when they do not consume the whole of what is allowed them by the terms of their appointment, nor are they at liberty to make a private arrangement with the tradesmen who supply the Workhouse with provisions, for the supply of a better quality of provisions for the use of the Officers than that which is allowed, without the special sanction of the Board of Guardians. The rations allowed to the Master and Matron are for their own consumption only, and they are not entitled to supply their friends and other persons calling upon them with refreshments from the Workhouse stores. It may be remarked here, that the half of the salaries of the Medical Officers, and the whole of the salaries of the School-

Provided that the Guardians, with the approval of the Commissioners, may pay to any officer or person employed by such Guardians a reasonable compensation on account of extraordinary services, or other unforeseen circumstances connected with the duties of such officer or person or the necessities of the Union.

Art. 173.—The salary of every officer or assistant appointed to, or holding, any office or employment under this Order shall be payable up to the day on which he ceases to hold such office or employment, and no longer (*p*).

Art. 174.—If no remuneration or salary be expressly assigned to the treasurer, the profit arising from the use of

masters and Schoolmistresses will be repaid to the Guardians by Government. The Guardians however must, in the first instance, pay these salaries, and the salaries of the two last-mentioned Officers should be *exclusive* of board and lodging in the Workhouse; otherwise the whole amount will not be repaid to the Guardians by Government. See the Circulars of the Poor Law Board on this subject. Gratuities for extraordinary services can only be paid under this Article to Officers "appointed to or holding any office or employment under this Order."

(*p*) But see Art. 175 respecting the payment of the salary of an officer who has been suspended from his office and is afterwards dismissed by the Poor Law Board. This Article does not apply to officers appointed to or holding office under any other Order—as for instance a collector of poor-rates who is appointed under a separate Order (*post*).

In the new Consolidated Orders, in lieu of Articles 173, 174, and 175, the following are substituted:—

Art. 170.—The salary of every officer or assistant, appointed to or holding any office or employment under this Order, shall be payable up to the day on which he ceases to hold such office or employment, and no longer, and shall be paid at the several quarters ending at the usual Feast-days in the year, namely: Midsummer-day, Michaelmas-day, Christmas-day, and Lady-day; provided, nevertheless, that in the case of any officer whose duty it is to render accounts to the Board of Guardians, it shall be competent for the Guardians to defer in whole or in part the payment of the salary of any such officer until his accounts shall have been audited and allowed by the Auditor, after which audit and allowance, the sum due up to the date of his accounts so audited shall be forthwith paid.

Art. 171.—An officer who may be suspended, and who may upon such suspension be dismissed by the Poor Law Board, shall not be entitled to any salary from the date of such suspen-

money from time to time left in his hands shall be deemed to be the payment of his services (*q*).

Art. 175 (*r*).—An officer who may be suspended, and who may without the previous removal of such suspension be

sion ; and no officer who shall be temporarily suspended from his office by reason of his services not being required shall be entitled to any salary pending such temporary suspension.

After Article 176, the following Articles relating to the expenses attending the election of Guardians are introduced :

Art. 172.—The Guardians shall not pay to any officer bound to account, to be hereafter appointed, who may have been removed, or who may be under suspension from his office, any salary claimed by such officer, until his accounts shall have been audited by the Auditor.

Art 173.—The Guardians shall pay, as compensation to the Clerk, or to the person appointed under the authority of this Order to act as such, in the performance of the duties hereby prescribed for the conduct of every election of Guardians, such a sum not exceeding — pounds, as the Guardians shall determine, which sum shall include the remuneration of the persons who may have been appointed to assist him in conducting and completing the election, and shall be defrayed out of the common fund of the Union.

Art. 174.—The Guardians shall in the case of every contested election pay one farthing per head on the population of the parish in which the contest shall have taken place, if the population shall be more than five hundred, and one halfpenny per head on the population of the parish in which the contest shall have taken place, if the population be not more than five hundred, to the said Clerk, or other person as aforesaid, in addition to the compensation mentioned in Art. 173, which sum shall be charged by the said Guardians to the account of such parish ; and for the purpose of ascertaining the last-mentioned sums, the population of the parish shall be taken to be as stated in the census which, at the time of such election, shall have been last made under the authority of any Act of Parliament.

Art. 175.—The cost of providing the several Forms marked (A.), (D.), and (E.) hereunto annexed, shall be defrayed out of the common fund of the Union.

Art. 176.—The cost of providing the Form marked (C.) hereunto annexed, shall be charged by the said Guardians to the respective parishes in whose behalf the same may be required.

(*q*) The Guardians cannot pay interest to their Treasurer on sums which they may overdraw, and charge such interest on the poor-rates. On this subject see note to Art. 81.

(*r*) But it would seem that, if the officer resign his office after his suspension, he will be entitled to payment of his salary up to the date of his resignation.

dismissed by the Commissioners, shall not be entitled to any salary from the date of such suspension.

Art. 176.—The Guardians shall not pay to any Officer bound to account, to be hereafter appointed, who may have been removed, or who may be under suspension from his office, any salary claimed by such officer until his accounts shall have been audited by the Auditor.

Art. 177.—No salary of any District Medical Officer shall include the remuneration for operations and services of the following classes performed by such Medical Officer in that capacity for any out-door pauper, but such operations and services shall be paid for by the Guardians, according to the rates specified in this Article.

1. Treatment of Compound Fractures of the Thigh	}	£ s. d.		
2. Treatment of Compound Fractures or Compound Dislocation of the Leg		5	0	0
3. Amputation of Leg, Arm, Foot, or Hand				
4. The Operation for Strangulated Hernia				
5. Treatment of Simple Fractures or Simple Dislocations of the Thigh or Leg	}	3	0	0
6. Amputation of a Finger or Toe		2	0	0
7. Treatment of Dislocations or Fractures of the Arm	}	1	0	0

The above rates shall include the payment for the supply of all kinds of apparatus and splints (s).

(s) It was the earnest wish of the Commissioners to carry into effect the recommendation of the Committee, that “the remuneration of Medical Officers should be such as to ensure proper attention and the best medicines;” and the Guardians will doubtless perceive that, unless the Medical Officer be adequately remunerated, no vigilance on their part will suffice to secure proper attendance and medicines to the poor under his care. The operations enumerated in Art. 177 are intended to provide for cases of urgency (principally those arising from accidents), which cannot be sent to a public hospital with safety and propriety. The payments for operations are limited to operations on out-door poor, and do not include those performed in the Workhouse. It appeared to the Commissioners that the continued attendance at the house of the patient in severe surgical cases usually forms the most burthensome part of the extra service of the medical man; whereas the constant visits of the

Art. 178.—Provided that, except in cases of sudden accident immediately threatening life, no Medical Officer shall be entitled to receive such remuneration for any amputation, unless he shall have obtained, at his own cost,

Medical Officer to the Workhouse enable him to attend a patient in the Workhouse without always making a visit for that express purpose. Moreover, when a patient can be removed to a Workhouse, or when he has long been the subject of medical treatment in the Workhouse, he may in general be removed with safety or propriety to an infirmary or hospital; and the Commissioners think it desirable that, where the distance or other circumstances do not present serious obstacles, paupers should enjoy the practised skill and combined judgment of the medical men usually connected with such establishments. While, therefore, the Commissioners would discourage the performance of important surgical operations in Workhouses, they are ready to sanction any reasonable subscription to an hospital or similar establishment by a Board of Guardians on behalf of the Union. The payments are intended to cover not only the operation, but also the attendance after the operation, which in severe cases of this sort ought usually to be numerous. Cases in which the patient does not survive the operation thirty-six hours, or in which he does not receive several subsequent attendances, are only to be paid for at the rate of one-half of the amount prescribed by Art. 177 (see Art. 179).—*Instr. Letter.*

Hernia reduced without a surgical operation does not entitle the Medical Officer to the fee of £5; and with respect to fractures it may be here stated, for the information of non-medical readers, that a fracture is called compound when the end or ends of the bone or bones have penetrated the soft parts, so as to come in contact with the air, which alters the whole process set up by nature for the cure of a simple fracture—giving rise at the same time to such a degree of constitutional irritation as usually leads to the death of old people.

The following are within the regulation in No. 5:—Fracture of the neck of the thigh bone, or of the malleolus externus. And the following are not within it:—Fracture of the knee-cap or patella, or of the tarsus, metatarsus, or toes.

The following are within the regulation No. 7:—Dislocation of the shoulder, elbow, and wrist; fracture of the humerus, ulna, and radius. And the following are not within it:—Fracture of the ribs, clavicle, scapula, and acromion; fracture of the elbow, carpus, metacarpus, and fingers or thumbs. Compound fractures of the arm are to be paid for at the same rate as simple fractures. Compound or simple fractures of the bones of the face do not come within the scope of the regulation, nor does the operation for fistula, lithotomy, or lithotrity,—removing a cancer in the breast,

the advice of some member of the Royal College of Surgeons of London, or some fellow or licentiate of the Royal College of Physicians of London, before performing such amputation, and unless he shall also produce to the Guardians a certificate from such member of the Royal College of Surgeons, or such fellow or licentiate, stating that, in his opinion, it was right and proper that such amputation should be then performed (*t*).

tapping for dropsy, or the removal of tumours on any part of the body.

Note the use of the word "treatment" in the Article; it does not necessarily imply the reduction of a dislocation.

Medical men who are not Medical Officers of the Union are not entitled to any fees under this Order for operations performed upon, and services rendered to, paupers; but the Guardians, if they think fit, can nevertheless pay such medical men for their services such a sum as may be fair and reasonable. The fees are payable in respect to operations performed on non-settled as well as upon settled paupers.

Reference may here be made to the 11 & 12 Viet. c. 110, s. 2, which enables Guardians, if they think proper, to pay for any medical or other assistance which shall be rendered to any poor person on the happening of any accident, bodily casualty, or sudden illness, although no order may have been given for the same by them or any of their officers.

As regards the performance of surgical operations and services not specified in Art. 177, see Art. 181, which allows of an extra payment being made with the approval of the Poor Law Board, for cases which may have presented peculiar difficulty, or required and received long attendance from the Medical Officer.

In some Unions Articles 177, 178, 179, 180, 181, and 183, have been suspended by subsequent Orders of the Poor Law Board.

(*t*) It is not necessary that the certificate be obtained and produced to the Guardians previous to the operation, but the Medical Officer must have obtained the advice upon which the certificate is founded before he performs the operation. After the 1st January, 1859, "no certificate required by any Act now in force, or that may hereafter be passed, from any Physician, Surgeon, Licentiate in Medicine and Surgery, or other Medical Practitioner, shall be valid, unless the person signing the same be registered under this Act:" (21 & 22 Viet. c. 90, s. 37). By s. 34 of the same Act, the words "legally qualified Medical Practitioner," or "duly qualified Medical Practitioner," or any words imputing a person recognized by law as a Medical Practitioner, or member of the medical profession, when used in any Act of Parliament,

Art. 179.—Provided also, that if, in any case, the patient has not survived the operation more than thirty-six hours, and has not required and received several attendances after the operation by the Medical Officer who has performed the same, such Medical Officer shall be entitled only to one half of the payments respectively prescribed above.

Art. 180.—Provided also, that if several of the fees specified in Art. 177 become payable with respect to the same person at the same time, and in consequence of the same cause or injury, the Medical Officer shall be entitled only to one of such fees, and if they be unequal, to the highest.

Art. 181.—In any surgical case, not provided for in Art. 177, which has presented peculiar difficulty, or required and received long attendance from the District Medical Officer, the Guardians may make to the said Medical Officer such reasonable extra allowance as they may think fit, and the Commissioners may approve (*u*).

Art. 182.—In cases in which any Medical Officer, either for the Workhouse or a district, shall be called on by order of a person legally qualified to make such order to attend any woman in or immediately after childbirth, or shall, under circumstances of difficulty or danger, without any order, visit any such woman actually receiving relief, or whom the Guardians may subsequently decide to have been in a destitute condition, such Medical Officer shall be paid for his attendance and medicines by a sum of not less than ten shillings, nor more than twenty shillings, according as the Guardians may agree with such officer (*x*).

are to be construed to mean a person registered under that Act. As a general rule, it is thought not desirable that a medical man who is a Guardian of the Union should give certificates under this Article in his own Union.

(*u*) Note that it is only surgical cases which fall under this rule. Other cases may be dealt with under Art. 172. See also 11 & 12 Vict. c. 110, s. 2, which enables the Guardians to give discretionary compensation in certain cases.

(*x*) Observe that the Medical Officer must have an order for his attendance, signed by a person legally qualified to make such an order; further upon this point, see Official Circulars, 4, p. 102, and 6, pp. 40, 90. When the accouchement takes place without the attendance of the Medical Officer, and the woman goes on

Art. 183.—Provided that in any special case in which great difficulty may have occurred in the delivery, or long subsequent attendance in respect of some puerperal malady or affection may have been requisite, any District Medical Officer shall receive the sum of two pounds (*y*).

satisfactorily till some time afterwards, and then falls ill, and is attended by the Medical Officer, it is considered that the case falls within his general contract, and that he is not entitled to a special fee for his attendance; for the words “immediately after childbirth” do not apply to such a case. Those words contemplate attendance within a reasonable time afterwards, and not after the lapse of three or four days. They must be taken to mean so immediately after childbirth that the Medical Officer may render the patient that medical assistance which is requisite in cases of childbirth as soon as the child is born, or within a short time afterwards. A lengthened attendance *previous* to childbirth, for illness consequent upon the woman’s pregnancy, does not entitle the Medical Officer to a special fee. The attendance must be *at* and *subsequent* to the birth. The term “childbirth” applies only to cases in which the child was or might have been born alive; hence the delivery of a seven months’ child comes within the term “childbirth.” Attendance in a case of a miscarriage, or in consequence of symptoms of premature labour, do not entitle the Medical Officer to an extra fee. This regulation contains no provision for a case in which the woman is delivered by one Medical Officer and receives subsequent medical attendance from another. It contemplates the delivery and subsequent attendance being paid for to the *same* officer by a single fee; but it is considered that the Medical Officer will be entitled to the fee even though, upon his arrival at the house, he find that the woman has been delivered and has subsequently died. The delivery of a woman of twins does not entitle the Medical Officer to a double fee for his attendance, unless the circumstances attending the delivery be of such a special character as to bring the case within Article 183.

As regards the duty of the Master of the Workhouse to give an order, or rather to send for the Medical Officer of the Workhouse, see Art. 208, No. 14. By Art. 209, No. 12, the Matron is “to take proper care of the sick paupers.”

(*y*) Note that it is only a *District* Medical Officer that is entitled to an increased fee under this Article; and it must be read as a proviso to the preceding, Article 182; so that there must be all the incidents required by that Article, accompanied by the circumstances referred to in it, to entitle the Medical Officer to the increased fee. A case of arm presentation is to be considered as a special case of great difficulty, entitling the Medical Officer to a fee of two pounds under this Article; so also the delivery

SECURITY OF THE OFFICERS.

Art. 184.—Every Treasurer, Master, Matron of a Workhouse in which there is no Master, Collector, or Relieving Officer, every person hereafter appointed as Clerk, and every other officer whom the Guardians shall require so to do, shall respectively give a bond conditioned for the due and faithful performance of the duties of the office, with two sufficient sureties, not, in the case of any security to be hereafter entered into, being officers of the same Union ; and every officer who shall have entered into any such security shall give immediate notice to the Guardians of the death, insolvency, or bankruptcy of either of such sureties, and shall, when required by the Guardians, produce a certificate, signed by two householders, that his sureties are alive, and believed by them to be solvent, and such officer shall supply a fresh surety, in the place of any such surety who may die or become bankrupt or insolvent (z).

by the use of forceps. Long subsequent attendance in respect of a puerperal malady or affection, such as diseased breasts, would entitle the Medical Officer to the extra fee ; but not so if the attendance is merely on account of the general debility of the woman.

This Article does not contemplate the repayment to the Medical Officer of any fee paid to another medical man whom he may have called to his assistance in a special case.

(z) This Article requires the Guardians to take proper security from the Treasurer, the Master of the Workhouse, the Matron, where there is no Master, Collector, or Relieving Officer, and every person appointed as Clerk, and also every other officer whom the Guardians shall require to give security, and to renew the security from time to time ; and Art. 87 renders it necessary that the bonds so taken by the Guardians should be produced once a year for the inspection of the Auditor. The latter provision is highly desirable, in order to ensure the preservation of the bonds in the proper hands. As the security is given in pursuance of the regulations of the Commissioners, the instrument by which it is given is exempt from stamp duty (section 86 of 4 & 5 Wm. IV. c. 76). The Article requires that the sureties shall not be officers of the same Union. Though it does not prevent the officers naming members of the Board of Guardians as sureties to their bonds, still it is not desirable, if it can be avoid-

Art. 185.—Provided that the Guardians may, if they think fit, take the security of any society or company expressly authorized by statute to guarantee or secure the faithful discharge of the duties of such officers (a).

Art. 186.—Provided also, that the Guardians may, with the consent of the Commissioners, dispense with such security in the case of any banking firm acting as Treasurer, or in the case of a Treasurer, being a banker or partner of such firm (b).

CONTINUANCE IN OFFICE AND SUSPENSION OF OFFICERS.—SUPPLY OF VACANCIES.

Art. 187.—Every officer appointed to or holding any office under this Order, other than a Medical Officer (c),

ed, that individual Guardians should become sureties for their officers, inasmuch as, in the event of proceedings being taken on the bond, the Guardian would be placed in the anomalous position of a member of a body causing proceedings to be taken against himself for the recovery of the penalty named in the bond. As to the preparation of officers' bonds, see Art. 202, No. 4, and note. As to the liability of the sureties of a Union Treasurer for cheques improperly cashed by an officer of the Union, see *Lichfield Union v. Greene*, 1 H. & N. 884; 26 L.J.R. (N.S.) Exch. 140; and 21 J.P. 198.

The sureties to a bond given to the Guardians cannot be released from their obligation without the Guardians' consent; but if, after satisfying themselves as to the state of the accounts of the Officer, the Guardians should deem themselves justified in cancelling the bond and taking fresh sureties, it is open to them to do so; they ought not, however, to give up the bond unless they are so satisfied, and unless a fresh security of at least equal responsibility be provided. (56 O. C. (N. S.) 69).

(a) The British Guarantee Association is the only Society or Company authorized by statute to guarantee the fidelity of Poor Law Officers. The Poor Law Commissioners, by an Order, dated the 6th December, 1847, prescribed the form of policy of guarantee to be given by that Association.

(b) Circumstances have occurred with respect to local banks in some parts of England, which have since caused the Poor Law Board to decline to consent to security being dispensed with in any case, except when the Bank of England may be appointed Treasurer. In the Consolidated Orders now issued this Article is altogether omitted.

(c) As to the Medical Officer, see the General Orders of 15th February, 1855, and 25th May, 1857.

shall continue to hold the same until he die, or resign, or be removed by the Commissioners, or be proved to be insane, to the satisfaction of the Commissioners (*d*).

Art. 188.—Provided always, that every Porter, Nurse, Assistant, or Servant may be dismissed by the Guardians, without the consent of the Commissioners; but every such dismissal, and the grounds thereof, shall be reported to the Commissioners (*e*).

(*d*) The Guardians cannot agree with an officer on his appointment that the appointment shall be determined on notice being given by either party. Though it is competent for the Guardians to agree with an officer that he shall give a month's notice of his intention to resign his office (see Art. 167). They cannot remove him by giving notice that his services will be discontinued, inasmuch as such a course would be inconsistent with the 46th section of the 4 & 5 Wm. IV. c. 76, which empowers the Poor Law Board to determine the continuance in office or dismissal of paid officers. By s. 48, the Board are empowered, as and when they shall think proper, by order under their hands and seal (either upon or without any suggestion or complaint in that behalf from the Overseer or Guardians of any Parish or Union), to remove any Master of any Workhouse, or Assistant-Overseer, or other paid officer of any Parish or Union, whom they shall deem unfit for or incompetent to discharge the duties of any such office, or who shall at any time refuse or wilfully neglect to obey and carry into effect any of the Rules, Orders, or Regulations of the said Board, and to require, from time to time, the persons competent in that behalf to appoint a fit and proper person in his room, and any person so removed is not competent to be appointed to or to fill any paid office connected with the relief of the poor in any such Parish or Union, except with the consent of the Board under their hands and seal.—*Instr. Letter*.

The exception to this Article as to the tenure of office by Medical Officers has been overruled by the General Orders of the Poor Law Board, dated respectively the 15th February, 1855, and 25th May, 1857 (*post*).

In the new Orders this Article, after the words "or resign," is as follows:—"Or be proved to be insane by evidence which the Board shall deem sufficient, or shall become legally disqualified to hold such office, or be removed by the Poor Law Board."

(*e*) The regulations requiring that the dismissals of the Porter, Nurse, and Assistants, and the grounds of them, should be reported to the Poor Law Board, is inserted in order to enable the Board to judge if a person so dismissed from one Union should be allowed to be appointed in another Union. See Art. 155, requiring the appointments of Assistants to be reported to the Board.

Art. 189.—If any Master or Matron hereafter appointed be husband and wife, and one of them should be dismissed by Order of the Commissioners, or should otherwise vacate his or her office, or should die, the other or survivor shall, at the expiration of the then current quarter, cease to hold his or her office of Master or Matron, as the case may be (*f*).

Art. 190.—No officer of a Workhouse who may have been dismissed by any Order of the Commissioners, shall, after such dismissal, remain upon the Workhouse premises, or enter therein for the purpose of interfering in the management of such Workhouse, unless the Commissioners have consented to his subsequent appointment to an office in such Workhouse, under the provisions of the said first-recited Act, or to his temporary employment therein.

Art. 191.—Every Medical Officer duly appointed shall, unless the period for which he is appointed be entered on the Minutes of the Guardians at the time of making such appointment, or be acknowledged in writing by such Medical Officer, continue in office until he may die or resign, or become legally disqualified to hold such office, or be removed therefrom by the Commissioners (*g*).

Art. 192 (*h*).—The Guardians may at their discretion suspend from the discharge of his or her duties any Master, Matron, Schoolmaster, Schoolmistress, Medical Officer, Relieving Officer, or Superintendant of Out-door Labour ;

(*f*) It is desirable that, in every case, where practicable, the Master and Matron should be man and wife, and that they should be without incumbrance. See note to Art. 153.

(*g*) This Article was rescinded by a General Order of the Poor Law Board, dated 15th February, 1855 (*post*), which made new provisions with respect to the Medical Officers' tenure of office ; and that Order has been again rescinded, except as to appointments made prior to the 24th June, 1857, by a General Order, dated 25th May, 1857 (*post*).

(*h*) Respecting the salaries of Officers suspended or dismissed, see Art. 175.

The Guardians cannot under this Article suspend either their Clerk or their Treasurer from office. The proper course for them to adopt in a case of any misconduct on the part of these Officers is to report the fact of their misconduct to the Poor Law Board,

and the Guardians shall, in case of every such suspension, forthwith report the same, together with the cause thereof, to the Commissioners ; and if the Commissioners remove the suspension of such officer by the Guardians, he or she shall forthwith resume the performance of his or her duties.

Art. 193 (*f*).—If any officer, or assistant, appointed to or holding any office or employment under this Order, be at any time prevented by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay him a reasonable compensation for his services ; and every such appointment shall be reported to

who, if they think fit, can suspend them from the performance of their duties, previous to causing the matter of complaint to be investigated by a Poor Law Inspector. The Bankruptcy of the Treasurer does not vacate the office. In such case he must tender his resignation to the Guardians before they can proceed to another election.

(*i*) If any of the Officers should be temporarily incapable of performing their duties, the Guardians may under this Article employ a temporary substitute, and pay him for his services. If the Medical Officer should be unable to attend to his duties, it will be his duty to provide a proper substitute at his own expense, and with the approbation of the Guardians. The same will likewise be the case with the Chaplain ; and it will be understood, that if the Chaplain keep a curate, he will not be entitled to perform his duties in the Workhouse by his curate, without the consent of the Guardians.—*Instr. Letter*. The Guardians can grant temporary leave of absence to any Officer ; and, in general, no Workhouse Officer should absent himself from his duties without the permission of the Guardians. The Officers ought not to be absent singly, and still less simultaneously, from the Workhouse, without sufficient cause. The Master ought always to sleep in the Workhouse.—*Ib*. This Article is not applicable to the case in which the Clerk may be occasionally prevented from attending personally to his duties at the Board for a single day. Such a case may be properly met by the appointment of the Vice-Chairman, or some other Guardian, to perform the duties of the Clerk for the particular occasion under Art. 194. Such occasional absence on the part of the Clerk ought not, however, to take place except for sufficient cause. But it applies to a Relieving Officer who may obtain leave of absence from his duties ; unless a substitute be appointed to act for him, there will be no one legally responsible for the discharge of his duties during his absence.

the Commissioners as soon as the same shall have been made.

Art. 194.—The Vice-Chairman, or some Guardian to be appointed by the Guardians, may perform any of the duties assigned to the Clerk until any vacancy in the office shall have been filled, or until a substitute be appointed in the case of the sickness, accident, or absence of the Clerk (*k*).

Art. 195.—When any officer may die, resign, or become legally disqualified to perform the duties of his office, the Guardians shall, as soon as conveniently may be after such death, resignation, or disqualification, give notice thereof to the Commissioners, and proceed to make a new appointment to the office so vacant in the manner prescribed by the above regulations (*l*).

Art. 196.—If any officer give notice of an intended resignation to take effect on a future day, the Guardians may elect a successor to each officer, in conformity with the above regulations, at any time subsequent to such notice.

Art. 197.—In the case of any Medical Officer who holds his office for a specified term, the Guardians may provide for the continuance of such officer, or appoint his successor, within the three calendar months next before the expiration of such term (*m*).

PERSONAL DISCHARGE OF DUTIES.

Art. 198.—In every case not otherwise provided for by this Order, every officer shall perform his duties in person, and shall not intrust the same to a deputy, except with the special permission of the Commissioners on the application of the Guardians (*n*).

(*k*) See the preceding note as to the absence of the Clerk from the meetings of the Board.

(*l*) Respecting the mode of appointment, see Articles 155, 156.

(*m*) Further provision as to the tenure of a Medical Officer's office is made by the General Order of the Poor Law Board, dated 25th May, 1857 (*post*).

(*n*) As regards the Clerk, see note to Art. 195; and as regards the Medical Officer, see Art. 200, and note.

Art. 199.—Every Medical Officer shall be bound to visit and attend personally, as far as may be practicable, the poor persons intrusted to his care, and shall be responsible for the attendance on them (*o*).

Art. 200.—Every Medical Officer shall, as soon as may be after his appointment, name to the Guardians some legally qualified medical practitioner to whom application for medicines or attendance may be made, in the case of his absence from home, or other hindrance to his personal attendance, and who will supply the same at the cost of such Medical Officer, and the name and residence of every medical practitioner so named shall be forwarded by the Clerk to each Relieving Officer, and to the Overseers of every parish in the district of such Medical Officer (*p*).

DUTIES OF THE OFFICERS.

Art. 201 (*q*).—And we do hereby define and specify the duties of the several Officers appointed to or holding their

(*o*) The Medical Officer cannot expressly delegate to his assistant, in his general practice, the duties of his office, however well qualified such assistant may be. Though an assistant may visit a patient or aid his principal in the performance of his duties, no diminution or subdivision of the duty of personal attendance and personal responsibility on the part of the Medical Officer will be recognized on that account.

(*p*) It is not necessary that the substitute should possess one of the double qualifications named in Art. 168; and if any Medical Officer has a partner or assistant who is a duly qualified medical man, he may name such partner or assistant as his substitute under this Article. The substitute of a Medical Officer must, however, be duly registered under "The Medical Act," 21 & 22 Vict. c. 90. The Medical Officer will be considered by the Poor Law Board as responsible for the skill and diligence of the person named by him as his substitute. Though the appointment is not by this Article made subject to the approval of the Guardians, they have the power to object to the appointment of any person of whom they may not approve. The Medical Officer can at any time rescind his nomination of a substitute, and name some other medical practitioner in his stead. A Guardian of the Union may be the appointed substitute of a Medical Officer. (56 O. C. (N. S.) 80.) As to a Guardian who is a medical man giving certificates under Article 178, see the note to that Art., *ante*.

(*q*) The duties of the Officers are defined with so much mi-

offices under this Order, and direct the execution thereof to be as follows :—

DUTIES OF THE CLERK.

Art. 202.—The following shall be the duties of the Clerk :—

- No. 1. To attend all meetings of the Board of Guardians, and to keep punctually minutes of the proceedings at every meeting, to enter the said minutes in a book, and to submit the same so entered to the presiding Chairman at the succeeding meeting for his signature (*r*).

nuteness in the Articles, that the latter do not appear to require a detailed explanation. The Commissioners, however, remark, that every officer is presumed to know his own duties, and that his ignorance of them cannot be allowed as any excuse for neglect or error. The Officers will be bound to learn their duties from the regulations of the Commissioners, a copy of which they can obtain by application to the publishers; and if they should desire to obtain further information, they can apply to the Guardians or the Poor Law Board, who will always be ready to afford it. The Commissioners also caution the Officers against supposing that they will be held responsible only for *intentional* breaches of duty, and that mere negligence will be considered as a venial offence. The Officers are bound to perform the duties prescribed by the regulations, and a culpable omission to perform those duties is equally mischievous with intentional breaches of the regulations, and will be visited with equally severe punishment.—*Instr. Letter*.

(*r*) The Clerk cannot delegate his duty of attending the meetings of the Board of Guardians to another person; but if his absence should be sanctioned by the Guardians on any occasion, they can, if they think fit, accept the services of a substitute, or the Chairman or some other Guardian may act as Clerk during the absence of that Officer.

With respect to the minutes of the Guardians, it may be remarked, that they are intended to be a true record of the proceedings of the Board; and the confirmation of them by the succeeding Board will merely authenticate the accuracy of the record, without affecting the acts of the previous meeting, which in general require no subsequent confirmation. Every discussion of any subject at a meeting of the Board, followed by a resolution, whether such resolution be for adopting, rejecting, or postponing the consideration of the matter submitted to the Board, should be placed on record in the minutes of the day, and also every complaint made by a pauper against any Officer of the Union,

Art. 202.—No. 2. To keep, check, and examine all accounts, books of accounts, minutes, books, and other documents as required of him by the Regulations of the Commissioners, or relating to the business of the Guardians, and from time to time to produce all such books and documents, together with the necessary vouchers, and the bonds of any Officers, with any certificates relating thereto, which may be in his custody, to the Auditor of the Union, at the place of audit and at the time and in such manner as may be required by the Regulations of the Commissioners (s).

together with the decision of the Guardians upon it, and notes of the evidence of the witnesses who may have been examined. And generally every occurrence, whether an *ex parte* statement or otherwise, and whether finally disposed of or not, should be placed on the minutes of the meeting at which it came under the notice of the Guardians. Mere discussions, opinions expressed, and remarks made by individual Guardians on any matter, ought to be excluded from the minutes; so also unseconded motions, which are not to be entered as a matter of right (2 Off. Cir. 178); but nevertheless may, if the Guardians so direct. The minutes are the official record of the proceedings of the Board of Guardians; and as the protest of an individual Guardian against any resolution of the Board does not form a part of such proceedings, the Guardian protesting cannot require his protest or the reasons of his dissent to be entered on the minutes. But even if his protest were so entered, it would have no legal effect, so as to control any resolution which a majority of the Guardians may have passed. No individual Guardian possesses by virtue of his office any right to take copies or make extracts from the minutes; but the Board can authorize any individual Guardian to make a copy or extract from any document in their custody; neither can a Guardian claim as of right to search or inspect the minute-book of the Guardians. The usual practice is to allow copies or extracts to be taken by individual Guardians without express authority. If an individual Guardian cannot, as of right, demand a copy or extract from the minutes, still less can any ratepayer in the Union who is not a Guardian.

(s) With respect to the books of account alluded to in this section, see the General Order of Accounts (and with respect to the production of Officers' bonds, see Arts. 86 and 87 of this Order. See also Art. 203, No. 5, in respect to the duty of the Treasurer to produce any bonds which may be in his possession to the Auditor for his inspection. The inspection contemplated by Art. 18 of the Order of Accounts may be general in its character, but it should be such an inspection as will enable the

Art. 202 (*t*).—No. 3. To peruse and conduct the correspondence of the Guardians according to their directions, and to preserve the same, as well as all Orders of the Commissioners, and letters received, together with

Clerk not only to ascertain that the books are all kept and in the proper form, but also to detect any errors which may appear on the face of the book or account inspected.

With respect to the Clerk's attendance at the audit of the accounts, it may be observed here that he is not bound to attend the audit of the Parish Officer's accounts, unless he be specially summoned by the Auditor. It may also be observed in this place, that the Guardians cannot retain possession of any parish books or documents contrary to the wish of the parish, as the 58 Geo. III. c. 69, s. 6, directs that all such books, accounts, and documents shall be kept by such person and persons, and deposited in such place and manner as the inhabitants in vestry assembled shall direct. But where there is a Vestry Clerk appointed under the 13 & 14 Vict. c. 57, it is the duty of that Officer to keep the parish books, deeds, and documents. With respect to the supply of the books of account for the Officers of the Union, it may be stated that the Guardians are only to provide the books required by the Officers of the Union. The Parish Officers must provide the books required for the parish accounts.

(*t*) The Clerk is not required to wait for the special direction of the Board of Guardians to answer official letters involving the transaction of mere routine business, but if the reply he may have to give depend upon any decision to which the Guardians may come on the matter to which the letter relates being submitted to them, in that case he should take the special directions of the Board of Guardians before answering the letter. In any case he should be prepared to submit to the Guardians at each ordinary meeting all letters he may have received since their last meeting, and copies of the answers he may have given to them. Every letter written by the Clerk, on any matter connected with his office, however unimportant the subject of it may be, should be copied into the letter-book of the Guardians in a legible hand. The following directions should be implicitly attended to in conducting official correspondence with the Poor Law Board, not only on the part of the Clerk, but on the part of all other persons. A departure from any of them not only causes great inconvenience in the transaction of the business of the Board, but prevents a prompt reply being given to the particular communication in respect of the transmission of which the directions have not been observed:—1. No document, except returns signed by the Clerk, should be transmitted to the Board, unaccompanied by a letter authenticating it. 2. Every distinct subject of communication, whether relating to the Union or to any separate

copies of all letters sent, and all letters, books, papers and documents belonging to the Union, or intrusted to him by the Guardians, and to make all necessary copies thereof.

parish in it, should form a distinct letter on a separate sheet of foolscap paper. 3. Where previous communications have taken place on the same subject, the official number and date of the last communication should be quoted. 4. The name of the Union and day of meeting of the Guardians, and where the meetings are held otherwise than weekly, the date of the meeting next following the communication, should be placed at the head of all communications from the Guardians to the Poor Law Board. 5. All communications and packages from the country which are directed to the office of the Poor Law Board, as far as the arrangements of the Post Office will permit, should be transmitted through the post, and be directed under cover, "To the Poor Law Board, Gwydyr House, Whitehall, London."

When a Board of Guardians or Clerk of one Union wishes to communicate with a Relieving Officer of another Union, or where a Relieving Officer of one Union wishes to communicate with a Board of Guardians or with the Clerk of another Union, the letter should pass through the Clerks of both Unions.

The Clerk, having the legal custody of the accounts and books of the Union, if he be served with a subpoena *duces tecum* as a witness on any matter relating to the settlement of a pauper, or other business affecting the Union, must attend and produce all books, documents, and papers in his possession which may be required of him (see *Reg. v. Greenaway* and *Reg. v. Carey*, 14 Law J. Rep. (N. S.), M.C. 190). These cases, however, referred to the Overseer of a parish; the Court held that an attachment would lie against an Overseer, and also against the Solicitor of the parish, for refusing to produce the rate-books of such parish at Petty Sessions, in obedience to a Crown Office subpoena, in an inquiry touching the settlement of a pauper. But the Clerk will not be justified in allowing any strangers to inspect the books of the Union, or to make extracts from them, without the authority of the Board of Guardians. It is no part of the duty of the Clerk, or of any other Officer of the Union, to attend, when called upon by the Officers of any Parish in the Union, before the magistrates in Petty Sessions as witnesses in cases of removal of paupers, or in any other matter which has reference solely to the business of the particular parish, and not to their duties as Officers of the Union. If they receive a subpoena they will, of course, be bound to attend, as in the case of any other person who is not an Officer of the Union; but ordinarily the Relieving Officer should attend without putting the Parish Officers to the expense and trouble of a subpoena, if they can do so with-

Art. 202.—No. 4. To prepare all written contracts and agreements to be entered into by any parties with the Guardians, and to see that the same are duly executed, and to prepare all bonds or other securities to be given by any of the officers of the Union, and to see that the same are duly executed by such officers and their sureties (*u*).

out materially interfering with the discharge of their duties. But it seems that, as a Relieving Officer is required to devote his whole time to the duties of his office (see Art. 164), he cannot claim to be paid for his attendance before the Justices on any parish matter. He can, however, claim his reasonable expenses ; further on this point, see 39 O. C. (N. S.) 112.

All Union books which are closed should be in the custody of the Clerk, unless the Guardians shall have, under Art. 51 of the Accounts Order, directed otherwise. It may also be here stated that no person, whether he be a Guardian or an Officer of the Union, has an absolute right to inspect any document belonging to the Union in the custody of the Clerk ; and that the proper course is to apply to the Guardians to grant permission, which should be expressed by a resolution entered on the minutes.

Under the last provision of this section it is the duty of the Clerk to furnish Parish Officers with certificates of chargeability, under the 5 & 6 Vict. c. 57, without charging any fee for so doing, the issuing of the certificates being business transacted on account of the Guardians. In the absence of the Clerk, the person who, with the permission of the Guardians, is acting as Clerk, may properly sign the certificate.

(*u*) In most cases the Clerk will merely have to fill up the blanks, in the printed forms of contracts and bonds, which may be procured from the publishers of such documents. The Clerk is not bound to leave his residence to witness the execution of bonds and contracts. When the parties to them, whether principals or sureties, do not attend the Board of Guardians for the purpose, some special directions should be given by the Clerk or by the Guardians respecting the execution, and information should be supplied as to the addresses of the attesting witnesses. If, owing to the sureties residing at a distance, it be necessary to incur any expense in obtaining their signatures, it would seem that the Officer, and not the Guardians, must be at the expense ; but it is different if the expense be incurred merely in satisfying the Guardians of the sufficiency of the surety. If it be necessary to incur any such expenses, they must be borne by the Guardians, and not by the Officer, unless there be a previous stipulation to the contrary. The Clerk is to prepare only such bonds and securities as are given by the Officers of the Union ; therefore it is not his duty to prepare bonds of Assistant-Over-

Art. 202.—No. 5. To receive all requisitions of Guardians for extraordinary meetings, and to summon such meetings accordingly; and to make, sign, and send all notices required to be given to the Guardians, by this or any other order of the Commissioners (*x*).

No. 6. To countersign all orders legally made by the Guardians on Overseers for the payment of money, and all orders legally drawn by the Guardians upon the Treasurer (*y*).

No. 7. To ascertain, before every ordinary meeting of the Board, the balance due to or from the Union, in account with the Treasurer, and to enter the same in the minute-book (*z*).

No. 8. At the first meeting of the Guardians in each quarter, to lay before the Guardians, or some committee appointed by them, the non-settled poor account, and the non-resident poor account, posted in his ledger to the end of the preceding quarter; and to take the directions of the Guardians respecting the remittance of cheques or post-office orders to the Guardians of any other Union or Parish, or the transmission of accounts due from other Unions or Parishes, and requests for payment.

seers appointed under 59 Geo. III. c. 12, s. 7, given under 7 & 8 Vict. c. 101, s. 61, unless indeed such bonds can be considered as “written contracts,” within the meaning of the first part of this regulation.

(*x*) See Arts. 34 and 35.

(*y*) See Arts. 82–84. If a cheque or order be drawn for an illegal purpose (*i. e.* for a purpose for which the poor-rates are not legally applicable), the Clerk, although the cheque or order may be signed by the Chairman and two other Guardians, and he may be directed by the Board of Guardians to affix his signature, is not bound to do so. It should be remembered that Guardians who sign an order, drawn to defray expenditure which is illegal, will be personally liable for the amount of the order upon the Auditor’s surcharge. The counter-signature of the Clerk should be written on the order after the signature by the Guardians. By countersigning the order, the Clerk attests the correctness of the document. (54 O. C. (N. S.) 43.)

(*z*) This information will be ascertained from the Treasurer’s pass-book.

Art. 202.—No. 9. Within fourteen days from the close of each quarter, to transmit by post all accounts of relief administered in the course of the preceding quarter to non-settled poor to the Guardians of the Unions and Parishes on account of which such relief was given; and to state in every account so transmitted the names and classes of the several paupers to whom the relief in question has been administered (a).

No. 10. To communicate to the several officers and persons engaged in the administration of relief within the Union all orders and directions of the Commissioners, or of the Guardians, and, so far as may be, to give the instructions requisite for the prompt and correct execution of all such orders and directions, and to report to the Guardians any neglect or failure therein which may come to his knowledge (b).

No. 11. To conduct all applications, by or on behalf of the Guardians, to any Justice or Justices at their Special, Petty, or General Sessions; and if he be an attorney or solicitor, to perform and execute all legal business connected with the Union, or in which the Guardians shall be engaged, except prosecutions at the assizes, actions at law, suits in equity, or parliamentary business, without charge for anything beyond disbursements (c).

(a) See Arts. 77–80, which relate to the relief of non-settled and non-resident poor. It is of great importance that the above regulations (8 and 9) should be attended to; for (*The Guardians of the Wycombe Union v. The Guardians of the Eton Union*, 1 Hurl. & Norm. Exch. Rep. 687) it must be taken that where Boards of Guardians do not send quarterly the amount of relief granted to non-settled paupers, the amount cannot be recovered in a Court of law from the Union wherein the paupers are settled.

(b) This rule renders it the duty of the Clerk to convey to the Overseers the contribution orders of the Guardians, and any unavoidable expenses which he may incur in personally serving the orders should be defrayed out of the common fund; but there is no objection to the Relieving Officers delivering such orders if they are willing to do so, and if the delivery of them does not interfere with their ordinary duties.

(c) It is to be observed that business relating to the survey

Art. 202.—No. 12. To prepare and transmit all reports, answers, or returns as to any question or matter connected with or relating to the administration of the laws for the relief of the poor in the Union, or to any

and valuation of Parishes, the sale of parish property, and the application of the sale proceeds, is the business of the Guardians under the statutes relating thereto, and therefore the Clerk is not entitled to make an extra charge for conducting the correspondence which arises out of, or for advising or assisting the Guardians in the performance of any of the acts or duties which become necessary in the furtherance of this business. Further on this point, see 53 Off. Cir. p. 23. Proceedings in lunacy, if the application be made to the justices on behalf of the Guardians, are within this regulation; so also is the getting up of evidence in support of the application.

The prosecution of persons under the Vagrant Act for deserting their families and leaving them chargeable to the poor-rates should be conducted by the Guardians or by their Clerk under their directions, as they can pay the cost of such prosecutions according to the 7 & 8 Vict. c. 101, s. 59. It is, however, open to any person to prosecute offenders against the Vagrant Act, as the Act does not cast that duty upon any one in particular. It would seem that the limitation in the 11 & 12 Vict. c. 43, s. 11, would not apply to an offence under s. 3 of the Vagrant Act if there is a continuing chargeability of the family, and it can be proved that the head of it is able, wholly or in part, to maintain his or her family by work or other means, and wilfully refuses or neglects to do so. Neither the Guardians nor the Overseer should interfere with prosecutions for other offences against the Vagrant Act.

This rule includes applications for orders of maintenance under the 43 Elizabeth, for compelling payment of contributions to the Union by Overseers, and generally all those cases in which summary remedies through the intervention of justices are given generally, and of which the Guardians may have occasion to avail themselves; but it does not include applications for orders of removal and appeals, such being the business of the Overseers, and not of the Guardians. Criminal proceedings taken on behalf of the Guardians in their official character are within the scope of the Clerk's duties under this rule, but not so where the proceeding is one open to the whole public. Where the proceedings are for the protection of the Guardians in the exercise of their official functions,—as prosecutions for absconding from the Workhouse with the Union clothing, misbehaviour in the Workhouse, or proceedings against officers for purloining, embezzling, or misapplying the property of the Union, or disobeying the orders of the Guardians, or against persons for illegally introducing spirituous liquors into the Workhouse,—they come within the scope

other business of the Union, which are required by the regulations of the Commissioners, or which the Commissioners or any Assistant-Commissioner may lawfully require from him (*d*).

Art. 202.—No. 13. To conduct duly and impartially, and

of the Clerk's duties under this rule. In making applications to the justices, the Clerk must attend such justices whenever the attendance may be required, according to the circumstances affecting the jurisdiction of the justices, whether within or out of the Union. Of course there is nothing to prevent the Overseers from employing the Clerk, if he be an attorney or solicitor, to transact any legal business in which they may be engaged on behalf of their particular Parish; but he cannot act, or rather ought not to act, professionally as the advocate or agent on behalf of a particular Parish, in any matter in which the interests of that Parish and the interests of the whole of the Parishes in the Union are conflicting. If the Clerk be one of a firm, the firm cannot be employed to do work for the Guardians, and be paid their professional charges, when such work falls within this Act as one of the duties of the Clerk which he is to discharge without charge beyond disbursements out of pocket. See as to this, in regard to justices, *Broughton v. Broughton*, 25 L. J. R. 250, Chanc. An action in the county court is within the exception to this rule, but a prosecution at the sessions is expressly within the regulations; and a prosecution at the Central Criminal Court, which is not an assize court, would also be within it. It would seem also that the words "actions at law" would not include proceedings in the Court of Queen's Bench upon a *certiorari* or *mandamus*, though it may be said that such proceedings would be within the spirit of the exception.

Any Clerk or other officer to any Board of Guardians, if duly empowered by such Board, may make or resist any application, claim, or complaint, or take and conduct any proceedings on behalf of such Board before any justice or justices of the peace at petty or special sessions, or out of sessions, although such Clerk or officer be not an attorney or solicitor, or have not obtained a stamped certificate. (7 & 8 Vict. c. 101, s. 68.) The privilege is not, however, extended by that Act to proceedings at general or quarter sessions. Upon this point, see *Reg. v. Buchanan*, 8 Q. B. 883.

(*d*) The Clerk by this rule is bound to answer all inquiries made of him by the Poor Law Board relating to the business of the Union. With respect to the weekly returns of the pauperism of the Union which he is required to furnish the inspector of the district, see the Circular of the Poor Law Board. See also the Circular of the Poor Law Board as to the duty of the Clerk to make the annual return of chargeable lunatics.

in strict conformity with the regulations in force at the time, the annual or any other Election of Guardians (*e*).

Art. 202.—No. 14. To observe and execute all lawful orders and directions of the Guardians applicable to his office (*f*).

DUTIES OF THE TREASURER OF THE UNION.

Art. 203.—The following shall be the duties of the Treasurer of the Union :—

No. 1. To receive all moneys tendered to be paid to the Guardians, and to place the same to their credit.

No. 2. (*ff*) To pay out of any moneys for the time being in his hands belonging to the Guardians, all orders for money which shall be drawn upon him, in conformity with Art. 84, when the same shall be presented at the

(*e*) As to the election of Guardians, see Articles 1–27.

(*f*) The regulations do not make it the duty of the Clerk to attend committees of the Guardians, and to take minutes of their proceedings; but Art. 202, No. 14, prescribes that the Clerk shall observe and execute all lawful orders and directions of the Guardians applicable to his office. The Guardians may, if they think fit, direct the Clerk to attend a committee of their number legally appointed, and take minutes of their proceedings; but in such case some special agreement should be entered into with the Clerk for that purpose. The Clerk, under this rule, will be bound to prepare statistical returns and calculations on any matter relating to the relief of the poor of his Union, when ordered so to do by the Board of Guardians; but he is not bound to obey any order or directions which the Guardians cannot legally give. The office of the Clerk does not of itself confer upon him any power to interfere with the management or discipline of the Workhouse, or to admit paupers to see persons maintained in the house; but as the officer or agent of the Guardians, he may interfere to see that their orders as regards the management of the house are carried out, if authorized by the Guardians to do so. The Clerk cannot order, of his own authority, relief to be given to a destitute person; it has, however, been held that the Clerk is an officer having authority (*i. e.* when acting under the direction of the Guardians in the particular matter) to order the giving of relief, so as to establish a settlement by admission in a Township within the Union. *Reg. v. Wigan*, 19 L. J. R. (N. S.) M. C. 18.

(*ff*) As to the form in which these orders are to be drawn, see the General Order of 7th April, 1857 (*post*).

house or usual place of business of the Treasurer, and within the usual hours of business.

No. 3. To keep an account, under the proper dates, of all moneys received and paid by him as such Treasurer, to balance the same at Lady Day and Michaelmas in every year, and to render an account of such moneys to the Guardians, when required by them to do so (*g*).

No. 4. Whenever there are not funds belonging to the Guardians in his hands as Treasurer of the Union, to report in writing the fact of such deficiency to the Commissioners (*h*).

No. 5. To submit a proper account, together with the bonds of any officers which may be in his custody, to the Auditor at the place of audit, and at the time and in such manner as may be required by the regulations of the Commissioners (*i*).

No. 6. To receive the moneys payable to him as Treasurer of the Union, under any Act of Parliament or other authority of law (*j*).

(*g*) With regard to the production of the Treasurer's Pass Book to the Guardians, see 57 O. C. (N. S.)

(*h*) The Poor Law Board find that this regulation has been frequently overlooked by Treasurers, and in some instances they have been informed that it had not been brought to the notice of those Officers. The Board attach much importance to the regulation, and trust that it may be carefully attended to in future.—*Letter of Poor Law Board to Union Treasurers*, 7th April, 1857.

(*i*) See Art. 87, as to the production of Officer's bonds to the Auditor. The 4 & 5 Wm. IV. c. 76, s. 47, requires the Treasurer to submit to the Auditor a full and distinct account of all moneys received, held, or expended by him on account of the Union. This account may be the Treasurer's Pass Book, if the entries are made in such a manner as to show with preciseness for whom and to whom the Treasurer received and paid the money of the Guardians.

(*j*) The Treasurer ought not to allow his account with the Guardians to be overdrawn; and if he advances money to them, he does so at his own risk, as the Guardians cannot legally borrow money for their current expenses upon the security of the rates, or pay interest upon money so borrowed. (See note to Art. 81.) The regulation in No. 4 is introduced for the purpose of

Art. 204.—Provided that the regulations in Art. 203 shall not be applicable to cases in which the Governor and Company of the Bank of England may act as Treasurer of the Union or Bankers to the Guardians (*k*).

DUTIES OF A MEDICAL OFFICER.

Art. 205.—The following shall be the duties of every Medical Officer appointed by the Guardians, whether he be the Medical Officer for a Workhouse or for a District:—

No. 1. To give to the Guardians, when required, any reasonable information respecting the case of any pauper who is or has been under his care; to make any such written report relative to any sickness,

enabling the Commissioners to warn the Guardians of their duty, in case they should have failed to obtain the requisite supplies of money from the Overseers. It is also desirable when the funds in the Treasurer's hands are low, that he should communicate the fact to the Guardians.—*Instr. Letter.* When any Parish of a Union has an account with the Treasurer, independent of the Union account, the Treasurer ought not to transfer money from the former to the latter without an order of the Overseers.—*Ib.* Money in the Treasurer's hands, arising from the sale of Parish property, ought not to be appropriated without an order under the seal of the Poor Law Board. See 5 & 6 Wm. IV. c. 69, s. 3.—*Ib.* The orders issued by the Board for the sale of Parish property expressly require the proceeds of the sale to be paid to the Treasurer to abide the further order of the Board. The Poor Law Board having had occasion to communicate with the Commissioners of Inland Revenue, on the subject of the liability to Stamp Duty of Receipts given by the Treasurers of Boards of Guardians, on the payment to them by Overseers of the Poor of contributions ordered by the Guardians, the Board have been informed, that it is the opinion of the Commissioners that such Receipts are exempt from Stamp Duty by virtue of the provisions of the 4 & 5 Wm. IV. c. 76, s. 86, the Treasurer being an Officer appointed in pursuance of that Act, and the contributions paid to him by the Overseers being likewise made in pursuance of the same statute.—*Instr. Letter*, 24th March, 1854. On this point see also the notes to Art. 84.

(*k*) This proviso has reference only to the Governor and Company of the Bank of England. In all other cases, where practicable, an individual, and not a Banking Company, should be appointed as the Treasurer of the Union. The Article is omitted in the new Orders when it is inapplicable.

prevalent among the paupers under his care, as the Guardians or the Commissioners may require of him ; and to attend any meeting of the Board of Guardians when requested by them to do so (*l*).

No. 2. To give a certificate respecting children whom it is proposed to apprentice, in conformity with Articles 59 and 61.

No. 3. To give a certificate under his hand in every case to the Guardians, or the Relieving Officer, or the pauper on whom he is attending, of the sickness of such pauper or other cause of his attendance, when required to do so (*m*).

(*l*) Concerning information to be given by the Medical Officer to the Relieving Officer, see Art. 215, No. 4.

(*m*) That is, when required to give such certificate by the Guardians of the Union of which he is an Officer. It is optional with him to give the certificate to Boards of Guardians or Relieving Officers of other Unions. The certificate need not be in any particular form. It will suffice if it be in the form in which ordinary medical certificates are usually given. This Article will include a certificate as to a lunatic pauper discharged from a lunatic asylum upon trial, under 16 & 17 Vict. c. 97, s. 79, if the Guardians require the Medical Officer to give a certificate in such a case. It forms no part of the official duty of a Medical Officer to attend the Justices to prove that the sickness or disability of a pauper is likely to produce permanent disability, so as to render such pauper removable to the parish of his settlement under the 9 & 10 Vict. c. 66, s. 4. He must be summoned or subpœnaed to attend before the Justices the same as any other witness whose evidence is necessary, and he will be entitled to be recompensed accordingly for his attendance.

It is enacted by the Friendly Societies Amendment Act, 21 & 22 Vict. c. 101, s. 2, that in any society in which a sum of money may be insured, payable on the death of a child under the age of ten years, for the funeral expenses of such child, the sum so insured cannot lawfully be paid, unless the person who shall apply for payment produces a certificate, signed by a qualified Medical Practitioner, stating the probable cause of death of such child. If the child shall have been attended immediately before its death by the Medical Officer of any Union on account of such Union, he shall deliver to the parents or friends of the deceased child, upon their application, a certificate stating the probable cause of death of the child, and shall not be entitled to receive any fee for the same ; and if such child shall not have been attended by such Medical Officer, nor by any qualified Medical

No. 4. In keeping the books prescribed by this Order, to employ, so far as is practicable, the terms used or recommended in the regulations and statistical nosology issued by the Registrar General; and also to show when the visit or attendance made or given to any pauper was made or given by any person employed by himself (*n*).

DUTIES OF A DISTRICT MEDICAL OFFICER.

Art. 206.—The following shall be the duties of a District Medical Officer :—

No. 1. To attend duly and punctually upon all poor persons requiring medical attendance within the District of the Union assigned to him, and according to his agreement to supply the requisite medicines to such persons, whenever he may be lawfully required to furnish such attendance or medicines by a written or printed Order of the Guardians, or of a Relieving Officer of the Union, or of an Overseer (*o*).

Practitioner, the Medical Officer of the Union or Parish in which such child shall have been resident shall deliver to the parents or friends of the deceased child, upon their application, a certificate stating the probable cause of death of the child, and shall be entitled to receive from the parties applying for the same a fee of one shilling.

(*n*) See the statistical nosology of the Registrar General, which may be obtained on application.

(*o*) The Medical Officer is bound, if a domiciliary visit be necessary, to visit his patients at their own homes; and if serious inconvenience is likely to be caused to any pauper by coming to the Medical Officer, the visits should be so made. It does not follow, however, that the Medical Officer is to visit every sick pauper, when the pauper can himself, without injury or danger to his health, attend at the Medical Officer's surgery; but if the Medical Officer refuses or neglects to visit, he must be prepared to show that he was justified in the particular case.

In cases of midwifery the Medical Officer is not permitted to employ a midwife as his substitute. If a midwife be employed, she must be employed by and paid by the Guardians, and not by the Medical Officer.

As to the grant of Midwifery Orders, see the observations of the Poor Law Board in 54 O. C. (N. S.) p. 44. In cases of child-birth-the practice of employing only female midwives in place of

Art. 206.—No. 2. On the exhibition to him of a ticket, according to Art. 76, and on application made on behalf to whom such ticket was given, to afford such

the Medical Officer, is one which, if adopted by the Guardians, should be exercised with due caution; and the Guardians should direct their Officers in all cases of difficulty or danger at once to authorize the attendance of the Medical Officer. (57 O. C. (N. S.) 88.) Further with regard to Midwifery Orders, the Board say, that "Medical assistance only forms a part of relief to the destitute poor, and that the same rules and principles apply to it as those which are applicable to any other kind of relief. Neither the Guardians of the Union, nor the Relieving Officer, are bound to relieve; nor, indeed, are they justified in relieving any person whose circumstances they have ascertained to be such as not to require relief. In cases in which there is good reason to believe that the applicant is able to pay for medical assistance himself, the Board usually recommend the Guardians, as the midwifery fee allowed to Medical Officers is an extra one, to cause it to be understood that relief of the nature in question will be granted by way of loan; and that the repayment of the whole, or of such part of the fee as the Guardians might determine, would be rigidly enforced by them; and to direct the Relieving Officer to notify the fact to every one who may apply to him for an order. The Board of Guardians may certainly notify that they require to have a fortnight or three weeks' previous notice of the intended application for the medical order; but if it have been omitted, and any case of sudden or urgent necessity arise, and aid is required by a person in a state of destitution, the Relieving Officer will not be justified in refusing to supply the requisite relief."

It is immaterial whether the poor person is in the receipt of other relief when a medical order is given; the fact of the person applying for such order and its being granted constitutes him *de facto* a pauper, and the Medical Officer is bound to attend. If he thinks that he is able to procure medical aid in his illness from his own resources, he should, nevertheless, continue his attendance till the next meeting of the Guardians, to whom he should report the circumstance, and take their further directions upon the case. The obligation upon those who have the administration of relief to supply necessary medical assistance to a person labouring under dangerous illness, though such person may not have received or have stood in need of relief previous to his illness, is established by the decision in *R. v. Warren, Russ. & R. Crown Cases*, 48. It may also be observed, that a Medical Officer is bound to attend members of sick clubs, if he receives a regular order from a Relieving Officer or Overseer, or from the Board of Guardians, and that the Guardians and not the Medical Officer are the persons who have to decide whether

half of the medical attendance and medicines as he would be bound to supply if he had received in each

a person is in such destitute circumstances as to entitle him to Medical aid at the cost of the poor-rates.

It not unfrequently happens that servants hired for a term fall sick whilst in service and apply for medical aid or other necessities at the cost of the poor-rates. In reference to such cases it may be observed, that as in the absence of any special agreement the master is not legally bound to provide his servant with medical or surgical aid in sickness, the case must be treated as one of ordinary destitution, and such relief, medical or otherwise as may be necessary, supplied by the Guardians or their Officers, as the case may require. The Guardians can advance no claim on the master in respect of the giving of such relief to his servant; but they might give the relief by way of loan, and then, under the 4 & 5 Wm. IV. c. 76, s. 59, attach in the hands of the master any wages which may be due or which may be subsequently earned, and so repay the cost of the relief.

It is the duty of the Medical Officer to supply the medicines which he prescribes, in such a state that they admit of being conveyed to his pauper patients. If the medicine is fluid, he must supply a bottle or some other vessel; if solid, a box, etc. He may, however, require the paupers to preserve them, and return them when done with. Medical Officers are not bound by any regulation in this Order to forward, or cause to be forwarded, to the residences of the sick paupers the medicines which they may prescribe. If the paupers are able to go themselves for the medicines, or if they can send any member of their family or any other person, they may reasonably be expected to do so. In general, the Medical Officers co-operate in forwarding the medicines, so far as the means of sending medicine in their general practice may be available, without incurring additional expense. But if the paupers themselves are unable to go or send for the medicines, and if the Medical Officers cannot forward them without employing special messengers for the purpose, it becomes the duty of the Relieving Officers to provide for the conveyance of the medicine to the paupers, who must in no case be left without the medicine prescribed for them by the Medical Officer.

A Medical Officer is not *bound* to attend any case without a regular order, but if he be sent for and attends the case without an order, or treats the patients as being under his care, he will be held responsible for any neglect which may occur, and will not be permitted to plead in justification the want of an order.

An Overseer of the Poor is bound to administer relief in cases of "sudden and urgent necessity;" his order to the Medical Officer to attend a case of sickness which is of "sudden and urgent necessity," is therefore of equal force with the order of the Relieving Officer. If the Medical Officer should refuse to attend,

case an Order from the Guardians to afford such attendance and medicines.

upon the order of an Overseer, on the plea that the case is not one of "sudden and urgent necessity," he must be prepared to justify his refusal on that ground; but in general it would be advisable for him to attend the case, and afterwards represent the facts to the Board of Guardians, and take their directions as to his further attendance.

The incautious administration of meat and wine by Medical Officers, and the want of discretion in granting medical relief by the Guardians have a direct tendency to encourage medical and general pauperism. See the remarks of Sir Edmund Head, the present Governor-General of Canada, on this subject in the report on the Further Amendment of the Poor Law, page 228.

As regards the liability of an Overseer when he gives an order for medical attendance, in a case in which he was not justified in doing so, it has been held, upon an action brought in the County Court at Crewkerne (*Wills v. Smith*), that the Overseer incurred no personal liability. The following is a copy of the judgment in that case:—"Mr. Smith was Overseer of North Perrott, and Mr. G. F. Wills was one of the surgeons of the Yeovil Union, acting in the Parish of North Perrott, and the action had been brought to recover six shillings and sixpence for medical charges and attendance on a boy for whom the defendant, in his official capacity, had ordered relief. The questions were, whether it was a case of emergency, and whether the boy was a pauper, in which cases the Overseer would be justified in ordering relief. These questions had been gone into at the hearing of the case at the former Court, and the result was, that defendant had ordered the relief believing it to be a case of necessity, and also believing the boy to be a pauper. But although these positions had not been made out, yet it was clear that no fraud was intended, and that the defendant had acted in what he considered to be the strict discharge of his duty. The relief too would have been gratuitous if rendered under the proper orders of the Overseer, and therefore the plaintiff had sustained no loss. No claim therefore, after all that had transpired, should be founded upon the personal liability of the defendant; and taking all the circumstances into consideration, the verdict must be in his favour."

A Medical Officer is not empowered by the Orders of the Poor Law Board to order food or articles of diet, as meat, milk, wine, or porter, for his pauper patients. Any direction that he may give to that effect will only amount to an expression of opinion on his part, that relief in food or other necessaries is required. The power of granting relief rests with the Guardians, and in cases of sudden and urgent necessity with the Relieving Officer, and any certificate given by the Medical Officer for the allowance of extra nourishment to any of his patients can only be

Art. 206.—No. 3. To inform the Relieving Officer of

regarded as a recommendation or statement of his opinion as to what is required. If the certificate were to be taken in any other sense it would have the effect of constituting the Medical Officer the absolute judge, not only of the kind of relief to be afforded, but also of the ability of the patient to provide it out of his own resources, which is entirely for the Guardians' consideration, in whom the discretion of giving or withholding relief of every kind is vested by law. The Guardians ought of course to be very guarded in the exercise of their discretion in this respect, and they should caution their Officers also to be on their guard if any case should occur in which, acting on a sense of duty, they may deem it right to disregard either wholly or in part the Medical Officer's certificate, for by so doing they would incur responsibility which could only be justified by a knowledge that the circumstances of the individual were really such as to make the particular relief, certified as being necessary by the Medical Officer, improper to be given at the cost of the Union. If in any instance the Relieving Officer should, from his knowledge of the circumstances of the particular case, deem it to be his duty not to carry the directions of the Medical Officer into full effect, he ought with the least possible delay to report the facts to the Board of Guardians, and state to them his reasons for so acting, in order that they may decide whether he has exercised a sound discretion in the matter, and give directions accordingly.

The Medical Officer has no authority to order tobacco and snuff to be supplied generally to any class of inmates in a Workhouse. If he deem tobacco in any form to be absolutely necessary for any sick pauper under his care, he should insert it as an extra in the proper column of the Workhouse Medical Relief Book against the name of the pauper, and it ought then to be supplied by the Master of the Workhouse in like manner as any other extras which may be ordered.

If any pauper refuses to adopt the remedies prescribed for his disease, the Medical Officer should report such fact to the Board of Guardians, and continue his attendance on the pauper, or at all events watch the case till he obtains the directions of the Guardians for his future guidance in regard to it.

By the 16 & 17 Vict. c. 97, s. 66, every pauper lunatic not in an asylum, registered hospital, or licensed house, is required to be visited by the Medical Officer of or for the Parish or Union, or District of a Parish or Union, in which such lunatic is resident; who is entitled to a fee of two shillings and sixpence for each visit to a pauper not in a Workhouse. Within seven days after the end of every quarter the Medical Officer is to prepare and sign a list in the form prescribed by the Act of the lunatics he shall have visited, and deliver such list to the Clerk to the Guardians. If at any time during the

any poor person whom he may attend without an Order (*p*).

No. 4. To make a return to the Guardians at each ordinary meeting, in a book prepared according to the Form marked (P.) hereunto annexed, and to insert therein the date of every attendance, and the other particulars required by such Form, in conformity with Art. 205, No. 4 (*q*).

Provided, however, that the Medical Officer may, with the consent of the Guardians, but not otherwise, make the entries which he is directed to make in such book on detached sheets of paper, according to the same Form, and cause the same to be laid before the Guardians at every ordinary meeting, instead of such book; and the Guardians shall, in that case, cause such sheets to be bound up at the end of the year.

DUTIES OF THE MEDICAL OFFICER FOR THE WORKHOUSE.

Art. 207.—The following shall be the duties of the Medical Officer for the Workhouse:—

No. 1. To attend at the Workhouse at the periods fixed by the Guardians, and also when sent for by the Master or Matron.

No. 2 (*r*). To attend duly and punctually upon all poor

quarter the lunatic is chargeable to the poor-rates, the Medical Officer is bound to visit and report the case, and is entitled to his fee for so doing. If the lunatic be not so chargeable, no duty is cast upon the Medical Officer, and of course he cannot claim a fee if he visit in such case.

(*p*) See Art. 215, No. 4.

(*q*) The Poor Law Board have by a Circular dated 14th February 1857 sanctioned the use of a modified form of Medical Relief Book. See the 10th Annual Report of the Poor Law Board, p. 32.

(*r*) See the Notes on Art. 206, No. 1.

In answer to a question whether the Medical Officer would be justified in using force in order to perform an operation which he considered necessary for the recovery of a diseased pauper inmate of the Workhouse, such pauper refusing to submit to the operation, the Commissioners have stated that the question appeared to them to turn upon the point whether the pauper was com-

persons in the Workhouse requiring medical attendance, and according to his agreement to supply the requisite medicines to such persons.

Art. 207.—No. 3. To examine the state of the paupers on their admission into the Workhouse, and to give the requisite directions to the Master according to Articles 91 and 92.

No. 4. To give directions and make suggestions as to the diet, classification, and treatment of the sick paupers, and paupers of unsound mind, and to report to the Guardians any pauper of unsound mind in the Workhouse whom he may deem to be dangerous, or fit to be sent to a Lunatic Asylum (s).

No. 5. To give all necessary instructions as to the diet or treatment of children and women suckling children, and to vaccinate such of the children as may require vaccination(t).

petent to exercise a discretion of his own; and that if any medical practitioner could certify that the pauper was not of sound mind, they thought that the Guardians would be justified in authorizing those means to be used which they were informed could alone save his life. On the other hand, they stated that if the patient was of sound mind, he must be allowed to judge for himself in the matter.

(s) As regards the diet of the paupers, see Art. 108, which empowers the Medical Officers of the Workhouse to direct in writing such diet for any individual pauper as he may deem necessary.

In regard to a lunatic pauper in a Workhouse, the Commissioners in Lunacy have stated that it appeared to them, that so far as the Medical Officer of the Workhouse is concerned, he must give notice in writing of the lunacy of the pauper, under the 48th sect. of the 7 & 8 Vict. c. 126 (now 16 & 17 Vict. c. 97, s. 67), to the *Relieving Officer* of the Union in which the Parish to which the pauper may be chargeable is comprised, and that such *Relieving Officer* must take the requisite proceedings. They consider that no entry by the Medical Officer in his books, nor any notice by him to the Master, would suffice as a substitution for the notice to the *Relieving Officer*. With respect to dangerous lunatics in the Workhouse, see Note to Art. 101.

(t) It not unfrequently arises that the parents of children in a Workhouse will not allow the Medical Officer to vaccinate their children, and in answer to an inquiry as to whether the Guardians possessed a power to cause such children to be vaccinated without the consent of the parents in such a case, the Commis-

Art. 207.—No. 6. To report in writing to the Guardians any defect in the diet, drainage, ventilation, warmth, or other arrangements of the Workhouse, or any excess in the number of any class of inmates, which he may deem to be detrimental to the health of the inmates.

No. 7. To report in writing to the Guardians any defect which he may observe in the arrangements of the infirmary, and in the performance of their duties by the nurses of the sick.

No. 8. To make a return to the Guardians, at each ordinary meeting, in a book prepared according to the Form (Q.) hereunto annexed, and to insert therein the date of every attendance, in conformity with Art. 205, and the other particulars required by such Form to be inserted by the Medical Officer, and to enter in such return the death of every pauper who shall die in the Workhouse, together with the apparent cause thereof (*u*).

No. 9 (*x*). To enter in the commencement of such Book,

sioners have stated that they are of opinion that the Guardians have, without the permission of the parent, the right to vaccinate any child in their custody, during any danger of contagion from the small-pox. See, however, the Act (16 & 17 Vict. c. 100) to extend and make compulsory the practice of vaccination.

(*u*) Compliance with the latter part of this rule will not supersede the necessity for giving a certificate of the apparent cause of the death of a pauper to the Registrar of Births and Deaths. It is only required that a statement of the apparent cause of the death should be inserted in the return. In no case do the Commissioners desire a post-mortem examination to take place solely for the purpose of satisfying this Rule. Excepting by the direction of a Coroner when holding an inquest, or of the Board of Guardians for any special urgent and peculiar reason which they may deem of sufficient importance to render such an examination necessary, or at the request of the nearest relatives of the deceased, the Commissioners deem that the Medical Officer would not be justified in making a post-mortem examination. They add, that they think that the Guardians would hardly be justified in directing in any particular case that a post-mortem examination should take place if the nearest relatives of the deceased objected clearly and decisively to that course.

(*x*) A copy of the Dictary so framed should be hung up in the Infirmary or Sick Wards of the Workhouse.

according to the Form (R.) hereunto annexed, the proper dietary for the sick paupers in the house in so many different scales as he shall deem expedient.

DUTIES OF THE MASTER (*v*).

Art. 208.—The following shall be the duties of the Master:—

No. 1. To admit paupers into the Workhouse, in obedience to the orders specified in Art. 88, and also every person applying for admission who may appear to him

(*v*) In reference to the duties of the Officers of the Workhouse, it will be useful to add some general remarks upon the manner and spirit with which they ought to discharge their duties, and the qualifications which they ought to possess.

The observations before made (see note on Article 136), with reference to the management of children, are equally applicable to the treatment of the adults. Warmth of temper and passionate conduct generally betray a consciousness of want of firmness. The discipline of a Workhouse is to be maintained by an undeviating adherence to rules, and a steadiness which defies provocation, while it deliberately enforces obedience to orders by legal and authorized means.

The Master of a Workhouse is answerable for the general order of the whole establishment; and minute personal attention on his part can alone detect and remedy defects in the discipline and cleanliness of the house. At the same time, decency requires that much of the detailed management of the female inmates, and of the children, should devolve on the Matron and her assistants. The close and accurate inspection of sleeping apartments actually occupied by women, and the treatment of the infants and younger children, ought to be performed by a female. If the authority of the Master be required to enforce obedience, he should at once be appealed to; but the Commissioners are desirous that all his duties should be discharged with the strictest regard to propriety. The habits of many of the inmates of a Workhouse will often be coarse and depraved, but the conduct of every Officer of such an establishment should correspond with what those habits ought to be, rather than with what they actually are.—*Instr. Letter.*

The temper and discretion required for the judicious discharge of the duties of a Workhouse Master, and the confidence necessarily placed in his integrity, make it essential that the greatest care should be exercised in the choice of that officer. The Master, too, is in some degree dependent on the aid afforded him by the

to require relief through any sudden or urgent necessity, and to cause every pauper, upon admission, to be examined by the Medical Officer, as is directed in Art. 91 (*w*).

other Officers of the establishment, and the appointment of an honest and efficient Porter is of the utmost importance. With this view the Commissioners advise the Guardians, whenever the Workhouse is not of very small dimensions, to appoint a paid Porter, and not to be satisfied with directing one of the paupers of the house to perform the functions allotted to that officer. The Commissioners believe it to be of rare occurrence that a pauper can be safely trusted to exercise the powers, and perform the duties, of the Porter, under the regulations of the Commissioners. For large Workhouses, and particularly Workhouses in towns (where applications for relief are frequently made by persons in urgent necessity, at all hours of the day and night), the Commissioners always require the Guardians to appoint a paid Officer to perform the duties of Porter.—*Id.*

The Commissioners likewise strongly disapprove of the practice of having recourse to a pauper as the instructor of either the male or female children. In no department of the Workhouse is a careful selection of the person employed of greater importance, than in the offices of Schoolmaster and Schoolmistress. Their incompetence, and those habits which are generally the cause or consequence of pauperism, affect not only the present comfort and conduct of the children entrusted to their care, but exercise a most pernicious influence on the subsequent welfare of those children, and on the likelihood of their permanent chargeability.—*Id.*

With respect to the Schoolmaster or Schoolmistress, the Commissioners remark, that in many instances differences have arisen between these Officers and the Master or Matron; and as a want of harmony between the principal Officers of the establishment cannot fail to impair their efficiency, and disturb the general discipline of the house, the Commissioners are desirous of inculcating upon all these Officers the necessity of the utmost forbearance and command of temper in their mutual relations.—*Instr. Letter.*

(*w*) See notes to Art. 88. In discharging the duty imposed upon him by this Article the Master is bound to exercise a sound and careful judgment, to the best of his ability, with reference to the condition of the applicant, as disclosed to him at the time. It would, however, be right that he should give due weight to any communication which he shall be satisfied has been sent to him by an Inspector of Police with reference to the case of any applicant for relief. Further, the fact of a person having been refused relief by the Relieving Officer would not of itself justify the Master of the Workhouse in declining to admit the applicant. Before

Art. 208.—No. 2. To cause every male pauper above the age of seven years, upon admission, to be searched cleansed, and clothed, and to be placed in the proper ward (*x*).

No. 3. To enforce industry, order, punctuality, and cleanliness, and the observance of all regulations for the government of the Workhouse by the paupers, and by the several officers, assistants, and servants therein (*y*).

No. 4. To read prayers to the paupers before breakfast, and after supper, every day, or cause prayers to be read, according to Art. 124 (*z*).

No. 5. To cause the paupers to be inspected, and their names called over, in conformity with Art. 103, in order that it may be seen that each individual is clean and in a proper state.

No. 6. To provide for and enforce the employment of the able-bodied adult paupers, during the hours of

refusing admission, in any case, it will be the duty of the Master to satisfy himself that the person applying does not, at the time of application, require relief through any sudden or urgent necessity. (55 O. C. (N.S.), 64.)

(*x*) The Master has no authority to detain or open letters addressed to pauper inmates of the Workhouse, unless indeed he should have reason to believe that the communication is of an improper tendency; nor can he prevent paupers from receiving presents of money; he should, however, report the fact of a pauper being in possession of money to the Board of Guardians. The Master is to decide, in the first instance, to which class a pauper on his admission to the Workhouse shall be assigned; but in the event of a doubt arising as to a pauper's proper class, he should be guided by the opinion of the Medical Officer, until the case is laid before the Guardians for their decision.

(*y*) With reference to this Article, it may be observed that the Master can, without any special authority from the Board of Guardians, in regard to each case, take proceedings before the Justices for the punishment of disorderly paupers in the Workhouse; but when the circumstances allow of delay, it will be proper for him to take the directions of the Guardians before instituting the proceedings.

(*z*) When the Master is unable to read prayers himself, it will be proper for the Schoolmaster to read them; and, where there is no Schoolmaster, for the Porter or one of the best conducted paupers.

labour ; to assist in training the youths in such employment as will best fit them for gaining their own living ; to keep the partially disabled paupers occupied to the extent of their ability ; and to allow none who are capable of employment to be idle at any time (*a*).

Art. 208.—No. 7. To visit the sleeping wards of the male paupers at eleven o'clock in the forenoon of every day, and see that such wards have been all duly cleansed and are properly ventilated (*b*).

No. 8. To see that the meals of the paupers are duly provided, dressed, and served, according to the directions in Articles 104 and 107, and to superintend the distribution of the food (*c*).

No. 9. To say, or cause to be said, grace before and after meals (*d*).

No. 10. To visit all the wards of the male paupers before nine o'clock every night in winter, and ten o'clock in summer, and see that all the male paupers are in bed, and that all fires and lights therein are extinguished, except so far as may be necessary for the sick.

No. 11. To receive from the Porter the keys of the Workhouse at nine o'clock every night, and to deliver them to him again at six o'clock every morning, or at such hours as shall from time to time be fixed by the Guardians.

(*a*) Particular attention should be paid to enforcing a task of work under the 5 & 6 Vict. c. 57, s. 5, from vagrants and tramps relieved in the Workhouse with a night's lodging and supper or breakfast. See note to Art. 99, No. 9, p. 63, and the Minute of the Poor Law Board on vagrancy, First Annual Report, p. 29. As to the employment of the inmates of the Workhouse generally, see Articles 102 and 112 and notes ; see also note to Art. 112, and Arts. 114 and 210, No. 3.

(*b*) He must also see that the beds are all made up and in proper order.

(*c*) See note to Art. 41, No. 4, as to supplying food to paupers waiting to see the Board of Guardians at the Workhouse.

(*d*) See note to Art. 208, No. 4, which is also applicable to this rule.

Art. 208.—No. 12. To see that the male paupers are properly clothed, and that their clothes are kept in proper repair (*e*).

No. 13. To cause the birth of every child born in the Workhouse to be registered by the Registrar of Births and Deaths within the space of one week after such child shall have been born; and also to enter such birth in a register kept according to Form (S) hereunto annexed (*f*).

No. 14. To send for the Medical Officer in case any pauper is taken ill or becomes insane, and to take care that all sick and insane paupers are duly visited by the Medical Officer, and are provided with such medicines and attendance, diet, and other necessities, as the Medical Officer or the Guardians direct, and to apprise the nearest relation in the Workhouse of the sickness of any pauper, and, in the case of dangerous sickness, to send for the Chaplain, and any relative or friend of the pauper, resident within a reasonable distance, whom the pauper may desire to see (*g*).

No. 15 (*h*). To take care that no pauper at the approach

(*e*) As regards clothing the paupers, see Art. 95 and note, page 56.

(*f*) The births of still-born children must be entered in this Register, as well as the births of children born alive. The Registration Act is silent as to still-born children. In the "Regulations for Registrars of Births and Deaths," as approved by the Secretary of State, the following direction is given (p. 11):—"Still-born children must not be registered; but if a child is born alive, and dies how soon soever after birth, both the birth and the death must be registered separately in the proper form." No alteration whatever has been made in this regulation; and any Registrar who registered a still-born child would be reprimanded as soon as his act was discovered.

(*g*) If the illness be of a dangerous nature, care should be taken to send a *written* communication to the Medical Officer, and not a verbal message merely. But generally the Master will act advisedly when he sends written communications in every case, as verbal messages are liable to be misunderstood. As to orders in midwifery cases, see Art. 182.

(*h*) If a pauper be seriously and dangerously ill, the Master will of course take heed that some one sits up in attendance during the night, notwithstanding that the death of the pauper may not be immediately expected.

of death shall be left unattended either during the day or the night.

Art. 208.—No. 16. To give immediate information of the death of any pauper in the Workhouse to the Medical Officer, and to the nearest relations of the deceased who may be known to him, and who may reside within a reasonable distance; and if the body be not removed within a reasonable time, to provide for the interment thereof (i).

(i) It does not appear in what manner this notice is to be given, and whether he is expected to send the notice by post. If the pauper's friends all reside at a distance, it would seem but proper that the Master should send them notice of the death by post, if their address be known to him.

The following remarks respecting the burial of paupers dying in the Workhouse may be here inserted:—With respect to the place of burial of a pauper it is to be observed, that for the purposes of burial the question of settlement is wholly immaterial, the obligation to bury having existed long before the statute which created the present form of pauper settlement. The 7 & 8 Vict. c. 101, s. 31, gives a full and complete right to the Guardians to bury the body of a pauper dying in the Workhouse in the churchyard of the Parish in which the Workhouse is situate, unless the deceased person, or the husband or wife, or next of kin shall have otherwise desired; and it is incumbent upon the Guardians under that statute, when the burial of a poor person takes place under their direction, to pay to the persons entitled the fee or fees which by the custom of the Parish in which the burial takes place can be legally claimed. But the Commissioners advise that, with a view of consulting the prevalent wishes of the poor on this subject, the body of every pauper of the Union dying in the Workhouse should in general be interred in the churchyard of his own Parish, unless the Incumbent of that Parish should object. The Commissioners think that the most convenient course is to remove the body in a hearse; but it seems that any male inmates of the Workhouse, of suitable age and strength, may be required by the Guardians to assist in carrying a coffin from the Workhouse to a neighbouring burial-ground.—*Instr. Letter.*

As to the place of burial, see also 18 & 19 Vict. c. 79, s. 2, which enables Boards of Guardians to enter into agreements with Cemetery Companies or Burial Boards for the burial of paupers, and the 20 & 21 Viet. c. 81, s. 6, as to the consecration of land to be set apart especially for the burial of paupers.

By the 7 & 8 Vict. c. 101, s. 56, the Workhouse is construc-

Art. 208.—No. 17. When requisite to cause the death of every pauper dying in the Workhouse to be duly registered by the Registrar of Births and Deaths within five days after the day of such death; and also to enter such death in a register kept according to Form (T.) hereunto annexed.

tively situated in the parishes to which the paupers are respectively chargeable, and therefore only the fees payable by custom on the burial of a parishioner can be claimed when the dead body of a pauper is removed from the Workhouse to the parish of chargeability for burial. Paupers chargeable to the common fund at the time of their death must be buried in the Parish in which the Workhouse is situated, and in which they may die; inasmuch as they cannot be said to be chargeable to any particular Parish, the above provision does not apply to them.

There is no provision of the law which makes it the duty of a Master of a Workhouse to admit the corpse of a person who has not died therein into the Workhouse. Such corpse must remain in the custody of the persons who have possession of it until some proper place of deposit can be found for its reception. The Workhouse is not necessarily a place for its deposit, and in some cases it might be improper that it should be received therein. But in many cases there may be no objection to its reception, especially in cases where the Guardians take upon themselves the charge of the burial, and where they have provided a proper dead-house.

If the unclaimed bodies of paupers who die in a Workhouse be given up for the purposes of anatomical examination, the regulations contained in the Schools of Anatomy Act (2 & 3 Wm. IV. c. 75) must be strictly adhered to by the Master, otherwise he will subject himself to the penalties provided by that Act—namely, imprisonment for a term not exceeding three months, or a fine not exceeding £50; but see *Reg. v. Fiest*, 27 L. J. R. (N. S.), M. C. 164, on this point.

With respect to the holding of Coroners' inquests in Workhouses, the Commissioners have stated that there may be particular cases in which the Guardians would be justified in allowing an inquest to be held in the Workhouse on the body of a person found dead not within its walls—as where the inconvenience of a refusal would be great. In such cases the Guardians would no doubt think it their duty to allow the inquest being so held; but whenever they do so, it will be proper that they should give the permission as a voluntary act, and not as the admission of a right. With respect to money found in the possession of any pauper dying in the Workhouse, it is enacted by the 12 & 13 Vict. c. 103, s. 16, that the Guardians of the Union or Parish wherein such pauper shall die may reimburse themselves the ex-

Art. 208.—No. 18. To deliver an inventory of the clothes and other property of any pauper who may have died in the Workhouse, to the Guardians at their next ordinary meeting (*j*).

No. 19. To keep such portion of the Workhouse Medical Relief Book prescribed in this Order as is assigned to him in the Form marked (Q.), and to keep all books or accounts which he is, or hereafter may be, by any Order of the Commissioners, directed and required to keep; to allow the same to be constantly open to the inspection of any of the Guardians of the Union, and to submit the same to the Guardians at their ordinary meetings (*k*).

No. 20. To submit to the Guardians, at every ordinary meeting, an estimate of such provisions and other articles as are required for the use of the Workhouse, and to receive and execute the directions of the Guardians thereupon.

No. 21. To receive all provisions and other articles purchased or procured for the use of the Workhouse, and before placing them in store to examine and compare them with the bills of parcels or invoices severally re-

penses incurred by them in and about the burial of such pauper, and in and about the maintenance of such pauper at any time during the twelve months previous to the decease. If there be any overplus, and the relief has not been advanced by way of loan, the Guardians are bound to return the amount of such overplus to any executor or administrator legally appointed. Money found on the body of a pauper, who has died in the Workhouse, and on whose body a coroner's inquest has been holden, cannot be applied to defraying the expenses of the inquest, which are payable out of the county rates.

It may be further added, that the Guardians of a Union are not under any legal obligation to bury the dead body of persons dying in Public Hospitals. *Reg. v. Stewart*, 12 A. & E. 773. The exercise of the power given by the 7 & 8 Viet. c. 101, s. 31, is discretionary on the part of the Guardians, who may decline to undertake the burial of any dead body, not being in the Workhouse, if they think fit so to do.

(*j*) As to the appropriation of the effects of a deceased pauper, see note to No. 16, *supra*.

(*k*) See Article 15 of the General Accounts for Order for the books required to be kept by the Master of a Workhouse.

lating thereto ; and after having proved the accuracy of such bills or invoices, to authenticate the same with his signature, and submit them to the Guardians at their next ordinary meeting.

Art. 208.—No. 22. To receive and take charge of all provisions, clothing, linen, and other articles belonging to the Workhouse, or confided to his care by the Guardians, and issue the same to the Matron or other persons as may be required (*l*).

No. 23. To report to the Guardians from time to time the names of such children as the Schoolmaster may recommend as fit to be put out to service, or other employment, and to take the necessary steps for carrying into effect the directions of the Guardians thereon (*m*).

No. 24. To take care that the wards, rooms, larder, kitchen, and all other offices of the Workhouse, and all the utensils and furniture thereof, be kept clean and in good order ; and as often as any defect in the same, or in the state of the Workhouse, shall occur, to report the same in writing to the Guardians at their next ordinary meeting.

No. 25. To submit to the Guardians, at every ordinary meeting, a report of the number of the inmates in the Workhouse according to the Form (U.), hereto annexed.

No. 26. To bring before the Visiting Committee or the Guardians any pauper inmate desirous of making a complaint or application to the Guardians.

No. 27 (*n*). To report forthwith to the Medical Officer and

(*l*) The refuse of the Workhouse must be sold and brought to account for the benefit of the establishment. In no case will the Master be justified in appropriating the produce of the sale of such refuse, or of old unserviceable stores, to his own use. See note to Art. 172.

(*m*) The Master must make this report, whether or not the parents of the children be in the Workhouse.

(*n*) No pauper who requires habitual or frequent restraint, and is consequently dangerous to himself or others, is to be retained in the Workhouse for a longer period than fourteen days. See Article 101.

to the Guardians, in writing, all cases in which any restraint or compulsion may have been used towards any pauper inmate of unsound mind in the Workhouse.

Art. 208.—No. 28. To keep a book, in which he shall enter all his written reports to the Guardians or to the Medical Officer, and to lay the same before the Guardians at every ordinary meeting.

No. 29. To inform the Visiting Committee and the Guardians of the state of the Workhouse in every department, and to report in writing to the Guardians any negligence or other misconduct on the part of any of the subordinate officers or servants of the establishment; and generally to observe and fulfil all lawful orders and directions of the Guardians suitable to his office.

Art. 209.—The Master shall not, except in case of necessity, purchase or procure any articles for the use of the Workhouse, nor order any alterations or repairs of any part of the premises, or of the furniture or other articles belonging thereto, nor pay any moneys on account of the Workhouse, or of the Union, without the authority of the Guardians, nor apply any articles belonging to the Guardians to purposes other than those authorized or approved of by such Guardians.

DUTIES OF THE MATRON.

Art. 210.—The following shall be the duties of the Matron:—

No. 1. In the absence of the Master, or during his inability to act, to act as his substitute in the admission of paupers into the Workhouse, according to Articles 88 and 208, Nos. 1 and 2, and to cause every pauper upon such admission to be examined by the Medical Officer, as is directed in Art. 91.

No. 2. To cause the pauper children under the age of seven years, and the female paupers, to be searched, cleansed, and clothed upon their admission, and to be placed in their proper wards.

- Art. 210.—No. 3. To provide for and enforce the employment of the able-bodied female paupers during the hours of labour, and to keep the partially disabled female paupers occupied to the extent of their ability, and to assist the Schoolmistress in training up the children so as best to fit them for service (o).
- No. 4. To call over the names of the paupers, as is directed in Art. 103, to inspect their persons, and see that each individual is clean.
- No. 5. To visit the sleeping wards of the female paupers at eleven o'clock of the forenoon of every day, and to see that such wards have been all duly cleansed, and are properly ventilated.
- No. 6. To visit all the wards of the females and children every night before nine o'clock, and to ascertain that all the paupers in such wards are in bed, and all fires and lights, not necessary for the sick or for women suckling their children, therein extinguished.
- No. 7. To pay particular attention to the moral conduct and orderly behaviour of the females and children, and to see that they are clean and decent in their dress and persons.
- No. 8. To superintend and give the necessary directions for making and mending the linen and clothing supplied to the male paupers, and all the clothing supplied to the female paupers and children, and to take care that all such clothing be properly numbered and marked on the inside with the name of the Union.
- No. 9. To see that every pauper in the Workhouse has clean linen and stockings once a week, and that all the beds and bedding be kept in a clean and wholesome state.
- No. 10. To take charge of the linen and stockings for the use of the paupers, and the other linen in use in the Workhouse, and to apply the same to such purposes as shall be authorized or approved of by the Guardians, and to no other.
- Art. 210.—No. 11. To superintend and give the neces-

(o) See note to Article 112, and Articles 114 and 208, No. 6.

sary directions concerning the washing, drying, and getting up of the linen, stockings, and blankets, and to see that the same be not dried in the sleeping wards or in the sick wards.

Art. 210.—No. 12. To take proper care of the children and sick paupers, and to provide the proper diet for the same, and for women suckling infants, and to furnish them with such changes of clothes and linen as may be necessary.

No. 13. To assist the Master in the general management and superintendence of the Workhouse, and especially in—

Enforcing the observance of good order, cleanliness, punctuality, industry, and decency of demeanour among the paupers ;

Cleansing and ventilating the sleeping wards and the dining-hall, and all other parts of the premises ;

Placing in store and taking charge of the provisions, clothing, linen, and other articles belonging to the Union.

No. 14. When requested by the Porter, in pursuance of Art. 214, No. 5, to search any female entering or leaving the Workhouse under the circumstances described in that Article.

No. 15. To report to the Master any negligence or other misconduct on the part of any of the female officers or servants of the establishment, or any case in which restraint or compulsion may have been used towards any female inmate of unsound mind.

No. 16. And generally to observe and fulfil all lawful orders and directions of the Guardians suitable to her office.

DUTIES OF THE CHAPLAIN (*p*).

Art. 211.—The following shall be the duties of the Chaplain :—

No. 1. To read prayers and preach a sermon to the

(*p*) With respect to religious ministrations in Workhouses by

paupers and other inmates of the Workhouse on every Sunday, and on Good Friday and Christmas Day, unless the Guardians, with the consent of the Commissioners, may otherwise direct (*q*).

Art. 211.—No. 2. To examine the children (*r*), and to catechize such as belong to the Church of England, at least once in every month, and to make a record of the same, and state the dates of his attendance, the general progress and condition of the children, and the moral and religious state of the inmates generally, in a book to be kept for that purpose, to be laid before the Guardians at their next ordinary meeting, and to be termed “THE CHAPLAIN’S REPORT.”

dissenting ministers, see Art. 122 and note thereon. To “read prayers” means to read, without change or mutilation, the whole morning service or the afternoon service, as commonly read in churches, with the litany and commandments, etc., as usual on Sunday mornings. Every clergyman’s engagements at his ordination bind him to a strict observance of this rule. The Chaplain is not required to baptize children in the Workhouse, except under circumstances which would justify the administration of baptism in a private house; nor is he required to church women who may be confined in the Workhouse. The children should be baptized in the parish church, and the mothers should be churched there also. The pauper inmates should be allowed to receive the Holy Communion at the parish church; and where there is no Workhouse chapel used exclusively for the purpose of divine worship, this rite should not be administered in the Workhouse, except to the sick and disabled. Where there is a chapel, the Communion may be celebrated in it, with the consent of the bishop of the diocese; but even in that case those inmates who desire it should be allowed to attend the parish church at Easter and Christmas. See also note to Article 124, p. 81. The Chaplain of the Workhouse has no duty to perform under the 52 Geo. III. c. 146, s. 7, in transmitting an account of the baptisms performed in the Workhouse to the Registrar of the diocese. (4 O. C. 84.)

(*q*) The following opinion of Dr. Adams may here be quoted from the Report of the Poor Law Commissioners on the Amendment of the Law, p. 112 :—“I think that, with the bishop’s license, it is not requisite that any part of the Workhouse should be consecrated to sanction a clergyman of the establishment in the performance of any of the duties required of the Chaplain of the Workhouse by the Poor Law Commissioners.”

(*r*) This applies to the general as well as to the religious examination of the Workhouse children. (53 Off. Cir.)

Art. 211.—No. 3. To visit the sick paupers, and to administer religious consolation to them in the Workhouse, at such periods as the Guardians may appoint, and when applied to for that purpose by the Master or Matron.

DUTIES OF THE SCHOOLMASTER AND SCHOOL-
MISTRESS (*s*).

Art. 212.—The following shall be the duties of the Schoolmaster and Schoolmistress for the Workhouse, or either of them :—

No. 1. To instruct the boys and girls according to the directions in Art. 114.

No. 2. To regulate the discipline and arrangements of the school, and the industrial and moral training of the children, subject to the direction of the Guardians (*t*).

No. 3. To accompany the children when they quit the Workhouse for exercise, or for attendance at public worship, unless the Guardians shall otherwise direct.

No. 4. To keep the children clean in their persons, and orderly and decorous in their conduct.

No. 5. To assist the Master and Matron respectively in maintaining due subordination in the Workhouse.

(*s*) With the view of encouraging the appointment of competent persons to these offices, the repayment of their salaries to the Union is made conditional upon their obtaining certificates of efficiency, competency, probation, or permission, as the case may be, from the Committee of Council on Education.

(*t*) Under this regulation it is the duty of the Schoolmaster and Schoolmistress to superintend the children out of school-hours, as well as during the periods when they are actually under instruction. As to granting leave of absence to children attending Workhouse schools, see note to Art. 116.

The Schoolmistress is not required by the regulations either to give notice to the Master of her intention to be absent temporarily from the Workhouse, or to ask his permission when quitting it. It is, however, competent to the Guardians, under Art. 152, to frame a regulation upon the subject if they consider it expedient to do so. (57 O. C. (N. S.) p. 94.)

DUTIES OF A NURSE.

Art. 213.—The following shall be the duties of a Nurse for the Workhouse :—

No. 1. To attend upon the sick in the sick and lying-in wards, and to administer to them all medicines and medical applications, according to the directions of the Medical Officer.

No. 2. To inform the Medical Officer of any defects which may be observed in the arrangements of the sick or lying-in ward.

No. 3. To take care that a light is kept at night in the sick ward.

DUTIES OF THE PORTER.

Art. 214.—The following shall be the duties of the Porter of the Workhouse :—

No. 1. To keep the gate, and to prevent any person, not being an officer of the Workhouse or of the Union, an Assistant Poor Law Commissioner, or any person authorized by law, or by the Commissioners or Guardians, from entering into or going out of the house without the leave of the Master or Matron.

No. 2. To keep a book in which he shall enter the name and business of every officer or other person who shall go into the Workhouse, and the name of every officer or other person who shall go out thereof, together with the time of such officer's or person's going in or out (*u*).

(*u*) The names of the Workhouse and all other Union officers must be entered in the Porter's book every time they leave the Workhouse and return, however frequently that may be in the course of the day. The Porter is to enter the ingress and egress of the following persons :—The Guardians on board or other days; the Clerk and those having business at his office; the Relieving Officer; the Master, Matron, and other officers, with their friends visiting them; persons coming in with goods, fuel, &c.; paupers admitted into the house; paupers discharged therefrom; mendicants admitted and discharged; persons attending funerals; applicants on board-days; the Chaplain; the Medical Officer;

Art. 214.—No. 3. To receive all paupers who apply or present themselves for admission in conformity with Art. 88, and, if the Master and Matron be both absent, to place such paupers in the receiving ward until the Master or Matron return (*v*).

No. 4. To examine all parcels and goods before they are received into the Workhouse, and prevent the admission of any spirituous or fermented liquors, or other articles contrary to any of the regulations contained in this order, or otherwise contrary to law (*w*).

No. 5. To search any male pauper entering or leaving the Workhouse whom he may suspect of having possession of any spirits or other prohibited articles, and to require any other person entering the Workhouse whom he may suspect of having possession of any such spirits or prohibited articles to satisfy him to the contrary before he permit such person to be admitted; and in the case of any female, to cause the Matron to be called, for the purpose of searching her, if necessary (*x*).

all persons going to church or chapel, and returning therefrom; and also the visits of the Poor Law Inspectors; School Inspectors; Commissioners in Lunacy; and all other persons having a statutory right to visit the Workhouse.

(*v*) It is considered that the latter part of this Article applies to all paupers who present themselves for admission, whether with or without an order, and whether their cases be of "sudden or urgent necessity" or not. When the Master returns, it will be for him to decide whether they shall be allowed to remain in the house.

(*w*) If the Register Office be within the walls of the Workhouse, the Porter is not required to examine parcels relating to registration business which may be sent there addressed to or intended for the Superintendent Registrar.

(*x*) The following are examples of prohibited articles:—Spirituous or fermented liquors; letters or printed papers, as books, pamphlets, etc., being of an improper tendency; cards or dice; matches or other highly combustible articles. The Porter cannot take from paupers money or trinkets which he may find in their possession; but he ought to report the finding of any such upon a pauper to the Master, who should then make his report to the Guardians, as the circumstances of the case may require.

Art. 214.—No. 6. To examine all parcels taken by any pauper out of the Workhouse, and to prevent the undue removal of any article from the premises.

No. 7. To lock all the outer doors, and take the keys to the Master, at nine o'clock every night, and to receive them back from him every morning at six o'clock, or at such hours as shall from time to time be fixed by the Guardians; and if any application for admission to the Workhouse be made after the keys shall have been so taken to the Master, to apprise the Master forthwith of such application.

No. 8. To assist the Master and Matron in preserving order, and in enforcing obedience and due subordination in the Workhouse.

No. 9. To inform the Master of all things affecting the security and order of the Workhouse, and to obey all lawful directions of the Master or Matron, and of the Guardians, suitable to his office.

DUTIES OF A RELIEVING OFFICER (*y*).

Art. 215.—The following shall be the duties of a Relieving Officer:—

No. 1. To attend all ordinary meetings of the Guardians, and to attend all other meetings when summoned by the Clerk.

No. 2. To receive all applications for relief made to him within his district (*z*), or relating to any Parish

This rule does not authorize the detaining or opening letters addressed to pauper inmates of the house; neither does it require the Porter to search the Workhouse officers for prohibited articles, these officers being entitled to introduce spirituous liquors into the Workhouse for their own use; nor does it authorize the Porter to search persons who present themselves as visitors to the inmates of the Workhouse. See also Art. 210, No. 14.

(*y*) A Relieving Officer must never be absent from his district without the express permission of the Guardians, and without leaving some one in charge. It is considered undesirable that Relieving Officers should be employed by the Guardians in the transaction of any business which requires them to be absent from their district.

(*z*) It does not rest with a Relieving Officer to determine the

situated within his district, and forthwith to examine into the circumstances of every case by visiting the house of the applicant (if situated within his district), and by making all necessary inquiries into the state of health, the ability to work, the condition and family, and the means of such applicant, and to report the result of such inquiries in the prescribed form to the Guardians at their next ordinary meeting, and also to visit from time to time, as requisite, all paupers receiving relief, and to report concerning the same as the Guardians may direct (a).

chargeability of the relief given by him to any pauper. The Guardians are the proper authority to determine that question in the first instance.

(a) It is important for the Relieving Officer to observe that it is his duty to visit at their dwellings all persons who have applied for relief as soon as possible after he has received the application. The Relieving Officer should moreover observe that he is responsible for all persons who apply for or receive relief in his district, and that he cannot discharge himself of this responsibility by any agreement or understanding between himself or the Guardians, and the Guardians or Relieving Officer of another Union. See the Minute of the Commissioners on the relief of non-resident paupers, in their Seventh Annual Report, and also the provisions of this order relating to the relief of non-settled and non-resident poor, Arts. 77-80.

The Relieving Officer is not bound to attend the case of an applicant for relief unless the person be actually destitute in some Parish or place in his district. He is not required to relieve a pauper settled in a Parish in his district when such pauper resides in a Parish in another Relieving Officer's district, even though such Parish be in the same Union; but it is considered that if they live within so short a distance, so as to enable the Relieving Officer, without interference with the duties which he has to discharge within his district, to visit them, it is his duty to do so and relieve them himself. As regards the relief of poor persons residing in places which were extra-parochial, see the 20 Vict. c. 19, under which many of such places are now constituted Parishes and added to Unions.

If an application be made to the Relieving Officer on behalf of a poor person at the time the Board is sitting, he should forthwith report the case to the Guardians, and take their directions upon it, and this notwithstanding that he may not have had time to inquire into the case; and he must report to the Guardians every fresh application he receives, though in any particular case they may have already refused to allow relief to the applicant.

Art. 215.—No. 3. In any case of sickness or accident requiring relief by medical attendance, to procure such attendance by giving an order on the District Medical Officer, in the Form (V.) hereunto annexed, or by such other means as the urgency of the case may require (*b*).

No. 4. To ascertain from time to time, from the District Medical Officer, the names of any poor persons whom such Medical Officer may have attended or supplied with medicines without having received an order from himself to that effect (*c*).

The Relieving Officer is not required to make any written suggestion as to the amount of relief which, in his opinion, each case requires; but he should be prepared to state his opinion orally upon the subject to the Board of Guardians when called upon to do so. He is bound to give the Guardians all necessary information in his possession which may contribute to the efficient discharge of their duties as regards the relief of the poor; and it will be proper that he should make them acquainted with all cases of destitution which come under his observation, even though the destitute persons may not have applied to him for relief.

(*b*) If the ailment be such as to afford reasonable ground for the attendance of a medical man, and the applicant be unable to procure medical aid for himself and family, the Relieving Officer should give the order, but not otherwise. In cases requiring *immediate* medical or surgical attendance, when the services of the Medical Officer of the district cannot be promptly obtained, the Relieving Officer may upon the emergency employ any other medical man to attend the case; but the Medical Officer of the district should be directed to take charge of it as soon as practicable. With regard to the grant of midwifery orders for the wives of labourers, it may be here stated that medical aid is a part of general relief, and must be administered according to the same rules. Neither the Guardians nor the Relieving Officer are bound to relieve, nor are they justified in relieving, any person whose circumstances they have ascertained to be such as not to require relief at the cost of the poor-rates. They will not properly discharge their duties if, by a fear of incurring responsibility, they are deterred from withholding relief where the position, station, and circumstances of the applicants have satisfied them that it ought not to be allowed; but the safest course, in such cases, is for the Guardians to give notice that, whenever the circumstances of the applicant render him a fit object, the medical aid would be granted by way of loan, and the repayment of the whole of the medical fee would be enforced.

(*c*) In case the Medical Officers should have attended any

Art. 215.—No. 5. In every case of a poor person receiving medical relief, as soon as may be, and from time to time afterwards, to visit the house of such person, and, until the next ordinary meeting of the Guardians, to supply such relief (not being in money) as the case on his own view, or on the certificate of the District Medical Officer, may seem to require (*d*).

No. 6. In every case of sudden or urgent necessity, to afford such relief to the destitute person as may be requisite, either by giving such person an order of admission into the Workhouse, and conveying him thereto if necessary, or by affording him relief out of the Workhouse, provided that the same be not given in money, whether such destitute person be settled in any Parish comprised in the Union or not (*e*).

paupers without an order from the Relieving Officer (as, for example, under an order from the Board of Guardians, or from an Overseer, or without an order under Arts. 75 and 76), it will be the duty of the Relieving Officer to ascertain the names of such paupers, and to visit them.

(*d*) The Relieving Officer will not be excused from a personal visit to the house of the sick person, even though the disease under which such person labours is of an infectious or contagious nature, as fever, small-pox, etc. He is as much bound as the Medical Officer to visit fever and other infectious or contagious cases. With respect to the duty of the Relieving Officer in the administration of relief to sick paupers upon the certificate of the Medical Officer, it is to be observed that the visit which the Relieving Officer is required to make under this regulation should, as a general rule, take place before he orders the relief stated in the certificate to be required by the pauper. When his other duties do not allow of his at once visiting the case, he is authorized to afford the relief on the certificate of the Medical Officer as relief urgently needed, and he should then visit the case as soon afterwards as may be possible. A Relieving Officer must in all such cases be responsible for the exercise of the discretion granted to him by the provisions of the Consolidated Order.

(*e*) In cases of sudden or urgent necessity, the Commissioners remark that it is the duty of the Relieving Officer to administer the appropriate relief needed (such as food, lodging, or medical assistance), and not to save his own trouble by giving money to a pauper at a moment when he may be unable to use it. If the Relieving Officer gives an order for the Workhouse, and affords the means of conveyance to it, he is considered to have furnished adequate relief, provided the person be in a fit state for removal,

Art. 215.—No. 7. To report to the Guardians at their next ordinary meeting all cases reported to him by an Overseer in conformity with Art. 218, and to obey the

and be not in actual want of food. In the latter case, immediate out-relief in kind should be given according to the necessities of the pauper. If the sickness be of a serious nature, the removal of the pauper should not be effected without a medical certificate, if it can be obtained without delay, and without apprehension of danger to the pauper by having to wait for it.—*Instr. Letter.*

If in any case, owing to the sickness, tender age of the children, the distance of the residence of the family from the Workhouse, or any other cause, any members of the family are unable to walk to the Workhouse, and have not the means of conveyance to it, it will be the Relieving Officer's duty to provide for their conveyance, and the expense he incurs in so doing he will charge as out-relief given under circumstances of "sudden and urgent necessity," under the circumstances above assumed. It will be the duty of the Relieving Officer to take this course, though the order of admission to the Workhouse may have been given by the Guardians, and though they may not have given any directions in regard to the conveyance of the family to the Workhouse.

If a pauper refuses an offer of relief in the Workhouse, and if, in consequence of such refusal, the case should become one of "sudden and urgent necessity," so as to render relief of some kind absolutely necessary, the Relieving Officer in that case would be bound to afford relief out of the house in articles of absolute necessity until the next meeting of the Guardians. It will, however, be necessary that the Relieving Officer should act with great care and discretion in all such cases, when it will be his duty to report the circumstances to them, and to take their further directions for his future guidance. It should also be observed that it is the duty of a Relieving Officer, under this regulation, to administer relief without reference to the place where the applicant had last slept.

In Parishes in which the military are stationed, it will sometimes happen that soldiers becoming lunatics, on their discharge from the service, are taken to the Poor Law authorities to be relieved. In such cases, if the lunatic be destitute, it is the duty of the Relieving Officer to undertake the case in the same way as the case of any ordinary applicant for relief.

It is sometimes found that aged poor persons will not accept relief in a Workhouse, even though they are in such a state of mind and body as to be incapable of taking care of themselves out of it. Such cases are extremely difficult to deal with, as the Guardians cannot compel destitute persons to enter the Workhouse against their will. The only available course of proceed-

directions of the Guardians with reference to the relief administered in such cases (*f*).

Art. 215.—No. 8. To perform the duties with respect to pauper apprentices prescribed by Arts. 60, 61, and 62.

No. 9 (*g*). To give all reasonable aid and assistance at the request of any other Relieving Officer of the Union, by examining into the case of any applicant for relief, or administering relief to any pauper whose name has been entered on the books of such other

ing appears to be for the Guardians to order the Relieving Officer to stop the allowance of outdoor relief, and, if the pauper refuses to enter the Workhouse, to direct the officer to watch the ease and afford such temporary relief as the urgency of it may render necessary during the intervals of the Guardians' meetings.

Guardians sometimes determine, from prudential and philanthropic motives, to take children who are not being properly brought up by their parents or other relations into the Workhouse, though no application may have been made to them to do so. In reference to such cases, it should be stated that, if the children are not really destitute, the Guardians would not be legally justified in interfering with them, notwithstanding that they may have reason to apprehend that they will be brought up to a life of immorality. If they be really destitute, the case will, of course, be different, and the Guardians, in dealing with it, will be guided by a due consideration of the facts of each case as they may arise.

(*f*) The intention of this rule is, that the Relieving Officer shall report to the Guardians all cases reported to him by an Overseer, in conformity with Art. 1 of the General Order, on duties of Overseers, dated 22nd April, 1842 (*post*). In the regulations subsequently issued this rule stands thus:—"To report to the Guardians, at their next ordinary meeting, all cases of relief given by an Overseer which may be reported to him by an Overseer, and to obey the directions of the Guardians with reference to the relief administered in such cases."

(*g*) The Relieving Officer is not bound to give such aid and assistance to the Relieving Officers of other Unions. It may be here observed that a Relieving Officer is not required to write to the Officers of other Unions advising relief to be given to paupers belonging to such other Unions, and removable thereto, but who are resident within his district. Any urgent case of want should be relieved at once, without any reference to the question of the pauper's settlement. See Article 43, and note, p. 25. As regards the mode of conducting the official correspondence with Officers of other Unions regarding relief cases, as well as other matters, see note to Art. 202, No. 3.

Relieving Officer, and who may be within his own district.

Art. 215.—No. 10. Duly and punctually to supply the weekly allowances of all paupers belonging to his district, or being within the same, and to pay or administer the relief of all paupers within his district to the amount and in the manner in which he may have been lawfully ordered by the Guardians to pay or administer the same (*h*).

(*h*) The Relieving Officer must in all cases pay the paupers at the times and places he is directed to do so by the Board of Guardians; and he has no authority, between the intervals of the Guardians' meeting, to vary the amount of relief which has been ordered by the Guardians; but if he should do so, he must be prepared to show either obvious or manifest fraud on the part of the pauper, or a cessation of the circumstances under which the relief was given, as, in the case of illness, that the pauper has recovered, or obtained employment at adequate wages. When the ground of withholding the relief is the cessation of the illness of the pauper, a medical certificate will be indispensable. On the other hand, the Relieving Officer has the power to allow additional relief in kind in cases of sudden and urgent necessity. The Relieving Officer cannot order the discharge of a pauper from the Workhouse who has been once received therein. The Relieving Officer should confine himself to the relief of paupers who are actually residing within his district. He is not required to relieve any destitute person who may be residing in the district of another Relieving Officer. Whichever Officer receives the application from the pauper and is ordered by the Guardians to administer the relief should therefore do so, and charge the costs in his accounts accordingly. It will then be for the Guardians to charge the relief to the proper Parish or common fund, as the case may be. Moreover a Relieving Officer has nothing to do with determining the particular Parish or fund to which a pauper should be charged. Questions of chargeability must be decided by the Guardians in the first instance. He must deal with the cases of the several paupers with respect to their relief according as their necessities may require without reference to any question as to their chargeability.

As the Guardians cannot lawfully give out-door relief to able-bodied paupers without the sanction of the Poor Law Board, the Relieving Officer will be liable to be called upon by the Auditor to repay out of his own pocket any relief which he may have given under the orders of the Guardians, contrary to the provisions of the General Prohibitory Order. When he is ordered by the Guardians to give out-door relief to able-bodied paupers

Art. 215.—No. 11. To visit, relieve, and otherwise attend to non-settled poor, being within his district, according to the directions of the Guardians, whose officer he is, and in no other way, subject always to the obligation imposed on him in cases of sudden or urgent necessity.

No. 12. To set apart one or more pages in his outdoor relief list, in which he shall duly and punctually enter up the payments made by authority of his own Board of Guardians to non-settled poor, and to take credit for such payments in his receipt and expenditure book (*i*).

No. 13. To present his weekly accounts to the Clerk for his inspection and authentication before every ordi-

whose cases do not come within any of the exceptions to Art. 1 of the Prohibitory Order, he ought to satisfy himself that the Clerk reports the cases to the Board for their sanction before the expiration of fifteen days from the day on which the relief is ordered to be given. Relieving Officers cannot lawfully give money to casual poor persons and wayfarers, to enable them to remove to another Union or Parish. If any Union or Parish Officer endeavours illegally to remove the burden of maintenance to another Parish or Union, or without any such intention defrays or gives money to defray the travelling expenses of the wayfarer, he will not only meet with the severest displeasure of the Commissioners, but also be liable to be indicted and proceeded against, under the 9 & 10 Viet. c. 66, s. 6, which imposes a penalty, not exceeding five pounds and not less than forty shillings, upon any Officer of any Parish or Union who shall, contrary to law, with intent to cause any poor person to become chargeable to any Parish to which such person was not then chargeable, convey any poor person out of the Parish for which such Officer acts, or cause or procure any poor person to be so conveyed, provided in consequence thereof such poor person becomes chargeable to some other Parish. But it is legal for a Relieving Officer, after having received the proper written directions from the Guardians so to do, to defray the cost of the conveyance of a sick pauper to an hospital or infirmary at a distance, and the cost of his relief therein, and probably also the cost of the return journey.

Reference may here be made to the minutes of the Poor Law Commissioners on the subject of relief in clothing, and relief to members of Friendly Societies (Sixth Annual Report, 1840, pp. 93, 97).

(*i*) That is, poor persons chargeable to, or in the receipt of relief from, the Guardians of other Unions.

nary meeting of the Guardians, and to the Guardians, at such meeting, for their approval.

No. 14. To submit to the Auditor of the Union all his books, accounts, and vouchers, at the place of audit, and at such time, and in such manner, as may be required by the Regulations of the Commissioners (*k*).

No. 15. To assist the Clerk in conducting and completing the annual or other election of Guardians, according to the Regulations of the Commissioners (*l*).

No. 16. To observe and execute all lawful orders and directions of the Guardians applicable to his office (*m*).

Art. 216.—The Relieving Officer shall in no case take credit in his accounts, or enter as paid or given by way of relief, any money or other articles which have not been paid or given previously to the taking of such credit, or the making of such entry; and he shall not take credit in

(*k*) This duty is not contingent upon the Relieving Officer receiving notice of the day appointed for the audit. He is bound to inform himself of the time of the audit, of which notice will be given by the Clerk. (4 O. C. 79.)

(*l*) The Relieving Officer is not entitled to any extra remuneration for this service unless it be specially awarded to him by the Guardians, with the sanction of the Poor Law Board, under Article 172.

(*m*) As regards the attendance of the Relieving Officers before the Magistrates in Petty Sessions upon any matter relating solely to the business of any particular Parish when so required by the Parish Officers, see note to Art. 202, No. 2. As regards the attendance of Relieving Officers as witnesses, the Poor Law Board have stated that, as the whole time of the Relieving Officer is engaged by the Guardians, he is not legally entitled to claim compensation for his personal attendance as a witness in any case in which either the Guardians of the Union, or the Parish Officers may require his evidence. But that he may properly claim to be reimbursed any reasonable extra expenses which he may be put to in attending the Court to give evidence. As a general rule, the Board consider that a Relieving Officer should attend in any such case without putting the Parish Officers to the expence and trouble of procuring and serving either a summons or a subpoena, if he can do so without materially interfering with the discharge of the duties of his office. See also the case, *Re Eastern Counties Railway Company and Overseers of Moulton*, 25 L. J. R. (N. S.), M. C. 49; 54 O. C. (N. S.), 48. In 39 O. C. (N. S.), 112, on the same point the Poor Law Board say that by the 7 & 8 Vict. c. 101, s. 70,

such accounts for any money paid to any tradesman or other person without producing, at the next ordinary meeting of the Guardians, a bill from such tradesman or person, with voucher of payment (*n*).

DUTIES OF A SUPERINTENDENT OF OUTDOOR LABOUR.

Art. 217.—The duties of a Superintendent of Outdoor Labour shall be to superintend any able-bodied paupers, not inmates of the Workhouse, who may be set to work by the Guardians, to take care that they perform the work respectively assigned to them, and to report truly to the Guardians respecting the performance of such work (*o*).

RECEIPT AND PAYMENT OF MONEY BY OFFICERS.

Art. 218.—No Clerk, Relieving Officer, Master, or other officer appointed to or holding any office under this Order, shall, directly or indirectly, receive or bargain to receive any gratuity, percentage, or allowance of any kind with reference to any contract with the Guardians, or in respect of any payment made or to be made for goods sup-

Justices have the power of determining what is a fair and reasonable remuneration to be paid to witnesses who attend before them in poor removal cases. With regard to the Relieving Officer they say, as he is bound to give up his whole time to the service of the Union, this remuneration should not be more than sufficient to cover the expenses which he may incur in the attendance, as for instance, the refreshment which he may require, and the actual cost of his travelling. But with regard to the Clerk to the Guardians, as he is not bound to give up his whole time to the service of the Union, the Board consider that he should be paid a reasonable remuneration for his attendance in the same way that other witnesses are paid. What is a reasonable remuneration will be a question for the Justices to determine in reference to the circumstances of each case.

(*n*) Any departure from the strict injunction contained in this rule, on being discovered, will meet with the severest displeasure of the Poor Law Board, and in all probability will lead to the loss of the Officer's situation.

(*o*) See the provisions of the Out-door Labour Test Order (*post*), which however has only been issued to certain Unions.

plied or work executed according to the order of such Guardians or on their behalf.

Art. 219.—No Clerk shall directly or indirectly cause to be paid to himself, or shall pay away on his own account or for his own benefit, any cheque drawn by the Guardians, and made payable to any person other than himself.

Art. 220.—Every Clerk receiving any cheque or money from the Guardians on account of any other party, shall transmit the same within fourteen days to the proper persons, and shall produce the receipt or acknowledgment for the same at the next ordinary meeting after the same has come to his hands (*p*).

Art. 221.—Every officer of the Union who may receive money on behalf of the Guardians thereof, shall forthwith pay the same into the hands of the Treasurer of the Union, to the credit of the Guardians, notwithstanding that any salary or balance may be due from the Union to such officer (*q*).

Art. 222.—No Relieving Officer or other officer of any Guardians, nor any Assistant Overseer or Collector, shall receive money for the relief of any non-settled pauper on behalf of any officer, or of the Guardians of any other Parish or Union, or shall constitute himself in any way the agent of any officer or Guardians of such other Parish or Union, except as is provided in this Order (*r*).

Art. 223.—If any money be transmitted to any officer, contrary to the provisions of this Order, such officer shall

(*p*) See Art. 51, and note, p. 30, as to the attendance of contractors and tradesmen to receive payment of their accounts.

(*q*) This article is imperative, even though the Officer, if a Relieving Officer, may not at the time have sufficient money in his hands belonging to the Guardians to pay the poor with.

(*r*) This Article only prohibits the receipt of money by any Officer to be applied by such Officer in relieving any non-settled pauper. It does not prevent an Officer from receiving money in repayment of relief already afforded by order of his Board of Guardians to a non-settled pauper. But in the event of money so coming into an Officer's hands, it will be his duty to pay it over to the Treasurer, as directed by Arts. 221 and 223. As regards the administration of relief to non-settled poor, see Arts. 77-80.

forthwith pay such money into the hands of the Treasurer of the Union whose officer he is, and shall report to the Guardians at their next meeting the fact that such money has been so received and paid, and shall make a true entry accordingly in his accounts.

EXPLANATION OF TERMS.

Art. 224.—Whenever the word “Parish” is used in the Order, it shall be taken to include any place maintaining its own poor, whether parochial or extra-parochial (s).

Art. 225.—Whenever the word “Overseer” is used in

(s) As to extra-parochial places, see the 20 Vict. c. 19, which enacts (s. 1) that after the thirty-first day of December, One thousand eight hundred and fifty-seven, every place entered separately in the Report of the Registrar General on the last Census which then was or was reputed to be extra-parochial, and wherein no rate was levied for the Relief of the Poor, shall for all the purposes of the Assessment to the Poor Rate, the Relief of the Poor, the County, Police, or Borough Rate, the Burial of the Dead, the Removal of Nuisances, the Registration of Parliamentary and Municipal Voters, and the Registration of Births and Deaths, be deemed a Parish for such purposes, and shall be designated by the name which is assigned to it in such Report; and that the Justices of the Peace having jurisdiction over such place or over the greater part thereof shall appoint Overseers of the Poor therein.

By the 5th section of the same Act it is enacted, that if any such place should be added to any Union, the Overseer or Overseers thereof shall act as the Guardian or Guardians of such place at the Board of Guardians of such Union until there shall be ratepayers thereof qualified to elect a Guardian; provided that if the Poor Law Board should direct one Guardian only to be appointed for any such place, and there shall be two Overseers appointed for the same, the Overseer first appointed, or whose name shall stand first in the Warrant of Appointment, shall act as such Guardian, and in the case of his decease or incapacity during the year of office the other Overseer shall thenceforth act as such Guardian; provided also, that no such paid Overseer as aforesaid shall be authorized to act as a Guardian.

And by section 6, the Overseers or Overseer appointed under the authority of the Act shall have all the powers, authorities, privileges, exemptions, and protections which Overseers now or hereafter shall possess, and shall be subject to all the obligations, responsibilities, penalties, and consequences which Overseers are now or may hereafter be liable to.

this Order, it shall be taken to include any person acting or legally bound to act in the discharge of any of the duties usually performed by Overseers of the Poor, so far as such duties are referred to in this Order (*t*).

Art. 226.—Whenever the word “Commissioners” is used in this Order, it shall be taken to mean the Poor Law Commissioners (*u*).

Art. 227.—Whenever the word “medicines” is used in this Order, it shall be taken to include all medical and surgical appliances; whenever the words “medical attendance” are used in this Order, they shall be taken to include surgical attendance; and whenever the words “medical relief” are used in this Order, they shall be taken to include relief by surgical as well as medical attendance (*v*).

Art. 228.—Whenever the words “Medical Officer” are used in this Order, they shall be taken to include any person duly licensed as a medical man, who may have contracted or agreed with any Guardians for the supply of medicines, or for medical attendance (*w*).

Art. 229.—Whenever the words Clerk, Master, or Matron are used in this Order, they shall be taken to mean the Clerk to the Guardians, and the Master or Matron of the Workhouse respectively.

Art. 230.—The term “non-resident poor” in this Order shall be taken to mean all paupers in receipt of relief al-

(*t*) The word “Overseer,” therefore, will include a Churchwarden who by virtue of his office is an Overseer of the poor, and it will also include an Assistant Overseer, having the duties of an Overseer delegated to him in his warrant of appointment, under the 59 Geo. III. c. 12, s. 7.

(*u*) The powers of the Poor Law Commissioners having ceased, the word “Commissioners” is now to be taken to mean “the Poor Law Board” (12 & 13 Vict. c. 103, s. 21).

(*v*) The supply of an expensive medicine, such as Cod Liver Oil, may be made the subject of a special agreement with the Guardians on the appointment of the Medical Officer. In some Unions expensive medicines, such as Quinine and Cod Liver Oil, are supplied by the Guardians, on the order of the Medical Officer.

(*w*) But see the new Medical Act, 21 & 22 Vict. c. 96, and note to Article 168, page 105.

lowed on account of any Union in relation to which the term is used, but not residing therein.

Art. 231.—The term “non-settled poor” in this Order shall be taken to mean all paupers residing in the Union in relation to which the term is used, but to whom relief is allowed on account of some Parish or Union other than that in which they reside (*x*).

Art. 232.—Whenever in describing any person or party, matter, or thing, the word importing the singular number or the masculine gender only is used in this Order, the same shall be taken to include, and shall be applied to, several persons or parties as well as one person or party, and females as well as males, and several matters or things as well as one matter or thing, respectively, unless there be something in the subject or context repugnant to such construction.

Art. 233.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

(*x*) This definition of “non-settled poor” does not include “irremovable poor,” under the 9 & 10 Vict. c. 66, who are “non-settled,” in relation to the parish from which they are “irremovable.”

SCHEDULES.

FORM A.—*Election of Guardians of the Poor.* (See Art. 6.)

——— UNION,

I, ———, Clerk to the Guardians of the Poor of the ——— Union, with reference to the ensuing Election of Guardians of the Poor for the several Parishes in the said Union, do hereby give notice—

1. That the number of Guardians of the Poor to be elected for the Parishes in the said Union is as follows :—
For the Parish of ——— One Guardian.
For the Parish of ——— Two Guardians.
2. That any person not otherwise disqualified by law who shall be rated to the Poor-rate in any Parish in the Union, in respect of hereditaments of the annual rental of ——— pounds, is qualified to be nominated for the Office of Guardian at the said Election by any person then qualified to vote.
3. Nominations of Guardians must be made according to the form below, which is the form prescribed by the Poor Law Commissioners. Such nominations must be sent, on or before* the ——— day of *March*, to me ——— or to Mr. ———, at ———, for the Parish of ———, or to Mr. ———, at ———, for the Parish of ———, who alone are authorized to receive the same. Nominations sent after that day, or sent to any other person, will be invalid.
4. That I shall, if more than the above-mentioned number of Guardians be nominated for any Parish, cause Voting Papers to be delivered on the ——— day of ———, at the address in such Parish of each Rate-payer, Owner, and Proxy qualified to vote ; and that on the ——— day of ——— I shall cause such Voting Papers to be collected.
5. That on the ——— day of ——— I shall attend at the Board Room of this Union at the hour of ———, and that I shall on that day, and, if necessary, the following days, proceed to ascertain the number of votes given for each candidate.
6. That any person put in nomination for the Office of Guardian may, at any time during the proceedings in the Election,

* See Article 8 as to the earliest day when they can be sent—i. e. the 15th of March.

tender to me in writing his refusal to serve the Office, and the Election, so far as regards that person, will be no further proceeded with.

Form of Nomination Paper.

Parish of _____ }
 _____ UNION. }

This _____ day of _____, 185—.

Names of Persons nominated to be Guardians.	Residence of the Persons nominated.	Quality or Calling of Persons nominated.

I, being* _____ duly qualified to vote in the Parish aforesaid, nominate the above to be Guardian (*or* Guardians) for the said Parish.

_____ Signature } of Nominator.
 _____ Address }

* *Note.*—Only one person is empowered to sign this paper, and after the word *being* he must insert (*a ratepayer*) or (*owner of property*), according to his qualification.

Given under my hand, this _____ day of _____, 185—.

_____ Clerk to the Guardians of the Poor of
 the _____ Union.

FORM B.—*Nomination Paper.* (See Art. 9.)

Parish of _____ }
 _____ UNION, }

This _____ day of _____, 185—.

Names of Persons nominated to be Guardians.	Residence of the Persons nominated.	Quality or Calling of Persons nominated.

I, being† _____ duly qualified to voted in the Parish aforesaid, nominate the above to be Guardian (*or* Guardians) for the said Parish.

_____ Signature } of Nominator.
 _____ Address }

† *Note.*—Only one person is empowered to sign this paper, and after the word *being* he must insert (*a ratepayer*) or (*owner of property*) according to his qualification.

FORM C.—*Voting Paper.* (See Art. 10).

UNION.

Voting Paper for the Parish of _____.

No. of Voting Paper.	Name and Address of Voters.	Number of Votes.	
		As Owner.	As Ratepayer.

Directions to the Voters.

The Voter is entitled to vote for _____ Guardians (or Guardians), and no more.

The Voter must write his initials against the name of every person for whom he votes, and must sign this Paper.

If the Voter cannot write, he must affix his mark, but such mark must be attested, and the name of the Voter filled in, by a witness, and such witness must write the initials of the Voter against the name of every person for whom the Voter intends to vote.

If a Proxy vote, he must in like manner write his own initials, sign his own name, and state in writing the name of the person for whom he is Proxy; thus—*John Smith* for *Richard Williams*.

This Paper must be carefully preserved by the Voter, as no second Paper will be given. When it is filled up, it must be kept ready for delivery to Mr. _____, who will call for the same on the _____ day of _____. No other person is authorized to receive the Voting Paper.

If the Voting Paper be not ready for the person appointed to collect it when called for, the Vote will be lost. It will also be lost if more than _____ name— be returned in the List, with the initials of the Voter placed against such name—, or if the Voting Paper be not signed by the Voter, or if the mark of the Voter be not attested when attestation is required.

Initials of the Voter against the name of the Person for whom he intends to vote.	Names of the Persons nominated as Guardians.	Residence of the Persons nominated.	Quality or Calling of the Persons nominated.	Names of the Nominators.	Address of the Nominators.	Opinion of the Clerk as to Disqualification.

I vote for the Persons in the above List, against whose Names my initials are placed.

(Signed) _____

(Place for the mark) _____ Voter's Name _____

Witness to the mark _____

or _____ for _____

FORM D.—*Notice to Guardians elected.* (See Art. 23.)

(In consequence of the provision in the 14 & 15 Vict. c. 105, s. 2, with respect to the continuance in office of Guardians until the 15th April, inclusive, in each year, notwithstanding the election of their successors, the Poor Law Board, by a General Order, dated the 22nd March, 1852, *post*, have substituted an amended Form of Notice to Guardians elected, for the Form originally contained in this Order.)

FORM E. (Sec Art. 24.)

——— UNION.

I do hereby certify that the Election of Guardians of the Poor for the several Parishes in the ——— Union was conducted in conformity with the Order of the Poor Law Commissioners, and that the Entries contained in the Schedule hereunto written are true.

Parishes (arranged alphabetically.)	Names of Persons nominated as Guardians.	Residence.	Quality or Calling.	No. of Votes given for each Candidate.	Names of the Guardians elected.	Names of the Guardians qualified to act in the Parishes where no Guardian has been elected.

Given under my hand this ——— day of ———
 ——— Clerk to the Guardians of the Poor of
 the ——— Union.

FORM F. (Sec Art. 34.)

To the Clerk of the Guardians of the ——— Union.

Requisition for an Extraordinary Meeting of Guardians.

We, the undersigned, being two of the Guardians of the Poor of the ——— Union, do hereby require an Extraordinary Meeting of the Guardians of the said ——— Union to be summoned, to be holden at ——— on ——— the ——— day of ——— 18—, at ——— o'clock in the forenoon, to take into consideration [*set out the business*].

——— }
 ——— } Guardians.

FORM G.—*Notice of Change of Period, Time or Place of Meeting.* (See Art. 35.)

——— day of ——— 185—.

To *A. B.*, Guardian of the Poor of the ——— Union.

Sir,—You are hereby informed that the next Ordinary Meeting of the Guardians of the Poor of the ——— Union will take place at ——— on ——— day the ——— day of ——— 18—, at ——— o'clock in the ——— noon, for the transaction of business; and that the Ordinary Meetings of the said Guardians will henceforth be held [*weekly or fortnightly, as the case may be,*] at the same place, on the same day of the week, and at the same hour.

——— Signature of Clerk to the Guardians.

FORM H.—*Notice of an Adjourned Meeting of Guardians.* (See Art. 35.)

——— day of ——— 185—.

To *A. B.*, Guardian of the Poor of the ——— Union.

Sir,—This is to give you notice, that an adjourned meeting of the Guardians of the Poor of the ——— Union will be held at ——— on ——— the ——— day of ——— 18—, which meeting you are hereby requested to attend.

——— Signature of Clerk to the Guardians.

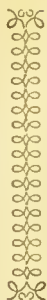
FORM I.—*Notice of an Extraordinary Meeting of the Guardians.* (See Art. 35.)

——— day of ——— 185—.

To *A. B.*, Guardian of the Poor of the ——— Union.

Sir,—I am directed by *C. D.* and *E. F.*, two of the Guardians of the Poor of the ——— Union, to summon an Extraordinary Meeting of the Guardians of the Poor of the said Union, at ——— on ——— the ——— day of ——— 18—, at ——— o'clock in the forenoon, to take into consideration [*set out the business*] which meeting you are hereby requested to attend.

——— Signature of Clerk to the Guardians.

FORM K.—*Out-Relief Ticket.* (See Art. 43.)

—— UNION.

Weekly Relief ordered the —— day of —— 185——.

Name.	Money.	Loaves, lb. each.	For what Period.
	Other Articles.		

—— Signature of Relieving Officer.

FORM L.—*Ticket for Permanent Medical List.* (See Art. 76.)

UNION.	
Date	_____
Good until the	_____ day of _____ 18__
Name of Pauper	_____
Residence of Pauper	_____
Name of Medical Officer	_____
Residence	_____
Usual hour at which he is at home	_____

FORM M.—*Order for Contributions.* (See Art. 83.)

To *A. B.* and *C. D.*, Overseers (*or** ——) of the Parish of ——.

You are hereby ordered and directed to pay to *F. G.*, —— of ——, on behalf of the Guardians of the Poor of the —— Union, on the —— day of —— [*or* in the following manner, that is to say,] at —— the sum of —— Pounds —— Shillings and —— Pence, from the Poor-rates of the Parish of ——, towards the Relief of the Poor thereof, and to the contribution of the Parish to the common fund of the Union, and such other expenses as are chargeable by the said Guardians on the said Parish, and to take the receipt of the said *F. G.*, indorsed upon this paper, for the said sum of ——.

Given under our hands, at a meeting of the Guardians of the Poor of the said —— Union, held on the —— day of —— 18——.

(Signed) *X. Y.* Presiding Chairman.

W. X. } Guardians.
U. V. }

—— Counter-signature of the Clerk to the Guardians.

* Here insert the names of any parties in the Parish authorized to make the Poor-rate in place of the Overseers.

Consolidated Order.

FORM Q.—*Workhouse Me*

(A.) To be filled up by the Medical Officer.

[illegible]

* The Dietaries for the Sick are to be numbered thus:—No. 1. I

As regards the Sick Paupers on Diet No. 1. (House Diet) the expenses appear in the "Daily Provisions Consumption Account," for which 17th day of March, 1847.

The Number of the Paupers on each description of the Dietaries
close of each week to a Summary at the end of

WEEKLY		
No. of the Dictary.	Description of Classes in the Diet Table.	Sunda
1	House Diet.—Males	
1	House Diet.—Females	
2	Full Diet.—Males	
2	Full Diet.—Females	
3	Low Diet.—Males	
3	Low Diet.—Females	
4	Fever Diet.—Males.....	
4	Fever Diet.—Females.....	
Total Number of Sick Paupers...		

Relief Book. (See Art. 207, No. 8.)

3.) To be filled up by the Master of the Workhouse, with the Articles actually given.

Quantity of Provisions consumed.								Extras provided.						Remarks.
Meat.	Bacon.	Cheese.	Rice.	Oatmeal.	Milk.			Ale.	Porter.	Wine.	Brandy.	Gin.		
lbs.	lbs.	lbs.	lbs.	lbs.	pints.			pints	pints	pints	pints	pints		

No. 2. Full Diet.

No. 3. Low Diet.

No. 4. Fever Diet.

should be entered in this Book, since their ordinary Diet will form 26 of the General Order of the Commissioners, bearing date the

According to the several Sexes is to be carried by the Master at the Book, to be prepared in the following Form:—

SUMMARY.

Number of Patients each Day,						Collective Number of Days.
Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.	

FORM R. (See Art. 207, No. 9.)

* DIETARY FOR SICK PAUPERS.

No. 1.	House Diet, being the ordinary diet for the paupers in the house.									
No. 2.		Breakfast.		Dinner.					Supper.	
2	Full Diet ...									
		ounces.	pints.	ounces.	pints.	ounces.	ounces.	pints.	ounces.	pints.
2	Males									
2	Females									
3	Low Diet..									
		ounces.	pints.	ounces.	pints.	ounces.	ounces.	pints.	ounces.	pints.
3	Males									
3	Females ...									
4	Fever Diet									
		ounces.	pints.	ounces.	pints.	ounces.	ounces.	pints.	ounces.	pints.
4	Males									
4	Females ...									

N.B.—Sugar, Arrow-Root, Sago, Butter, Milk, Wine, Spirits, Porter, and Beer, are in all cases to be treated as extras, to be expressly ordered when required, and the quantity is to be then specified in the proper column of this book.

* If thought proper by the Medical Officer, any additional number of Dietaries may be introduced, and numbered consecutively.

FORM S. (See Art. 208, No. 13.)

UNION.

Register of Births in ——— Workhouse.

Date of Birth.	Whether Male or Female.	Name of Parents or Mother.	To what Parish chargeable.	When baptized	In what Name baptized.	Remarks.

FORM T. (See Art. 208, No. 17.)

UNION.

Register of Deaths in ——— Workhouse.

Date of Death.	Name.	Age.	To what Parish chargeable.

FORM U. (See Art. 208, No. 25.)

UNION WORKHOUSE. *Week ending* ——— 185—.

WARDS.	Beds therein.	Number of Occupants each Night.							Total.	Observa- tions.
		S.	M.	T.	W.	Th.	F.	Sat.		
Able-bodied Men ...										
Old Men.....										
Boys										
Male Infirmary										
—— Infectious.....										
—— Receiving										
Total										
Able-bodied Women										
Old Women										
Girls										
Female Infirmary ...										
Lying-in Ward.....										
Female Infectious ...										
—— Receiving ...										
Total										

The foregoing is a true statement.

—— Master.
 —— Matron.

FORM V.—*The Medical Relief Order Check Book.*

(See Art. 215, No. 3.)

No. —

To —, Medical Officer.

Name, _____

Age, _____

Residence, _____

Nature of Case, _____

Forwarded by — at —

o'clock in the — of the —

day — of 185—.

—— Relieving Officer.



No. —

To —, Medical Officer, — Union.

Sir,

You are hereby requested to visit and under-
take the treatment of the undermentioned cases.

Name, _____

Age, _____

Residence, _____

Nature of case,* _____

Forwarded by — at — o'clock in the —

of the — day of — 185—.

—— Relieving Officer.

* This is to be filled up so as to distinguish—

1. Midwifery Cases.

2. Fractures and Accidents.

3. Cases of urgency, which require immediate attention.

SCHEDULE,

Containing the Names of the Unions to which the annexed Order applies.

Aberaeron.	Barnet.	*Bourn.
Abergavenny.	*Barnstaple.	Brackley.
Aberystwith.	Barrow-upon-Soar.	Bradfield.
*Abingdon.	*Basford.	Bradford (Wilts).
Albans, St.	*Basingstoke.	Bradford (York).
Alcester.	Bath.	Braintree.
Alderbury.	Battle.	Brampton.
*Alnwick.	Beaminster.	*Brecknock.
Alresford.	Bedale.	Brentford.
Alton.	*Bedford.	Bridge. [bridge.
*Altrincham.	Bedminster.	*Bridgend and Cow-
Amersham.	*Belford.	*Bridgewater.
Amesbury.	*Bellingham.	Bridgnorth.
Ampthill.	*Belper.	*Bridlington.
*Andover.	Berkhampstead.	Bridport.
*Anglesey.	Berwick-upon-Tweed	*Brixworth.
Asaph, St.	*Beverley.	Bromley.
*Ashbourne.	*Bicester.	Bromsgrove.
Ashby-de-la-Zoueh.	Bideford.	*Bromyard.
Ashford, East.	Biggleswade.	Buckingham.
Ashford, West.	Billerieay.	*Builth.
Ashton-under-Lyne.	*Billesdon.	Buntingford.
Aston.	*Bingham.	Burnley.
*Atcham.	Bishop Stortford.	*Burton-upon-Trent.
Atherstone.	Blaby.	Bury.
*Auckland.	Blackburn.	
Austell, St.	*Blandford.	*Caistor.
*Axbridge.	Blean.	Calne.
Axminster.	*Blofield.	Cambridge.
*Aylesbury.	*Blything.	Camelford.
*Aylsham.	Bodmin.	*Cardiff.
	Bolton.	Cardigan.
	Bootle.	Carlisle.
*Bakewell.	*Bosmere and Claydon.	Carmarthen.
Bala.	Boston.	Carnarvon.
*Banbury.	*Boughton, Great.	*Castle Ward.
Bangor & Beaumaris.		

* The asterisks refer to the order relating to the payment of the expenses attending the election of Guardians, as to which see *post*.

Catherington.	*Darlington.	Evesham.
Caxton & Arrington.	Dartford.	Faith, St.
Cerne.	Daventry.	Falmouth.
Chailey.	*Depwade.	Farcham.
Chapel-en-le-Frith.	Derby.	*Faringdon.
Chard.	Devizes.	Farnham.
Cheadle.	Dewsbury.	Faversham.
Chelmsford.	*Docking.	Festiniog.
Cheltenham.	Dolgelly.	Foleshill.
Chepstow.	*Doncaster.	Fordingbridge.
Chertsey.	*Dorchester.	*Frecbridge Lynn.
Chesterfield.	Dore.	Frome.
Chester-le-Street.	Dorking.	Fulham.
Chesterton.	Dover.	Fylde.
Chippenham.	*Downham.	
Chipping Norton.	Drayton.	*Gainsborough.
Chipping Sodbury.	*Driffeld.	Garstang.
Chorley.	Droitwich.	Gateshead.
Chorlton.	Droxford.	Germans, St.
Christchurch.	Dudley.	*Glanford Brigg.
Church Stretton.	Dulverton.	*Glendale.
Cirencester.	Dunmow.	Glossop.
Cleobury Mortimer.	Durham.	*Gloucester.
Clifton.	Dursley.	Godstone.
Clitheroe.		Goole.
Clun.	Easington.	*Grantham.
Clutton.	Easingwold.	Gravesend & Milton.
Cockermouth.	Eastbourne.	Greenwich.
Colchester.	East Grinstead.	Guildford.
Columb, St., Major.	Easthampstead.	Guiltecross.
Congleton.	*East Retford.	Guisborough.
Conway.	Eastry.	
Cookham.	East Ward.	Hackney.
Corwen.	Ecclesall Bierlow.	Hailsham.
Cosford.	Edmonton.	Halifax.
Cranbrook.	Elham.	Halstead.
Crediton.	Ellesmere.	Haltwhistle.
Crickhowel.	Ely.	Hambleton.
Cricklade and Woot-	Epping.	Hardingston.
ton Bassett.	Epsom.	*Hartismere.
Croydon.	*Erpingham.	Hartley Wintney.
Cuckfield.	Eton.	Haslingden.

Hastings.	· Keynsham.	*Ludlow.
Hatfield.	Kidderminster.	Luton.
Havant.	Kingsbridge.	*Lutterworth.
*Haverfordwest.	Kingselere.	Lymington.
Hay.	King's Lynn.	
Hayfield.	King's Norton.	*Maelesfield.
Headington.	Kingston-upon-	Machynlleth.
*Helmsley Blackmoor.	Thames.	Madeley.
Helston.	Kington.	Maidstone.
Hemel Hempstead.	Knighton.	*Maldon.
Hendon.		Malling.
Henley.	Lampeter.	Malmsbury.
*Henstead.	Lancaster.	*Malton.
*Hereford.	Lancaster.	Mansfield.
Hertford.	Langport.	Market Bosworth.
*Hexham. [don.	Launceston.	*Market Harborough.
Highworth and Swin-	Ledbury.	Marlborough.
Hinekley.	Leek.	Martley.
Hitchin.	Leicester.	Medway.
Holbeach.	Leigh.	Melksham.
Holborn.	Leighton Buzzard.	*Melton Mowbray.
Hollingbourn.	Leominster.	Mere.
Holsworthy.	Lewes.	Meriden.
Holywell.	Lewisham.	Merthyr Tydvil.
Honiton.	*Lexden & Winstree.	Midhurst.
Hoo.	*Leyburn.	Mildenhall.
*Horneastle.	Lichfield.	Milton.
Horsham.	*Lincoln.	*Mitford and Laun-
Houghton-le-Spring.	Linton.	ditch.
*Howden.	Liskeard.	*Monmouth.
Hoxne.	Llandilo Fawr.	*Morpeth.
*Huddersfield.	Llandoverly.	
Hungerford.	Llanelly.	*Nantwich.
*Huntingdon.	Llanfyllin.	*Narbeth.
Hursley.	Llanrwst.	Neath.
	*Loddon & Clavering.	Neot's, St.
Ipswich.	*London, City of.	*Newark.
Ives, St.	London, East.	Newbury.
	London, West.	Newcastle-in-Emlyn.
Keighley.	Longtown.	Newcastle-under-
*Kendal.	Loughborough.	Lyne.
Kettering.	*Louth.	Newcastle-upon-Tyne.

Newent.	Poole.	*Settle.
New Forest.	Poplar.	Sevenoaks.
Newhaven.	Portsea Island.	Shaftesbury.
Newmarket.	Potterspury.	*Shardlow.
*Newport (Monmouth).	Prescot.	Sheffield.
Newport (Salop).	Presteigne.	Sheppey.
*Newport Pagnell.	Preston.	Shepton Mallett.
*Newton Abbott.	*Pwllheli.	Sherborne.
Newtown and Llanidloes.	Radford.	Shiffnal.
*Northallerton.	Reading.	*Shipston-upon-Stour.
Northampton.	Redruth.	*Skipton.
North Aylesford.	Reeth.	*Skirlaugh.
Northleach.	Reigate.	*Sleaford.
*Northwich.	Rhayader.	Solihull.
North Witchford.	Richmond (Surrey).	Southam.
Nottingham.	*Richmond (Yorkshire).	South Molton.
Nuneaton.	Ringwood.	South Shields.
	Risbridge.	South Stoneham.
Oakham.	Rochdale.	*Southwell.
Okehampton.	Rochford.	Spalding.
Olave's, St.	Romford.	*Spilsby.
Ongar.	Romney Marsh.	Stafford.
Ormskirk.	Romsey.	Staines.
Orsett.	Ross.	*Stamford.
Oundle.	*Rothbury.	Stepney.
	Rotherham.	Steyning.
Pateley Bridge.	Royston.	Stockbridge.
Patrinton.	*Rugby.	Stockport.
Pembroke.	*Runcorn.	*Stockton.
Penkridge.	Ruthin.	Stokesley.
*Penrith.	Rye.	Stone.
Penzance.		Stourbridge.
*Pershore.		*Stow.
*Peterborough.	*Saffron Walden.	Stow-on-the-Wold.
Petersfield.	Salford.	Strand.
Petworth.	Saviour's, St.	*Stratford-upon-Avon.
Pewsey.	*Scarborough.	Stratton.
Pickering.	Seulcoates.	Stroud.
*Plomesgate.	Sedbergh.	Sturminster.
Plympton, St. Mary.	Sedgefield.	*Sudbury.
*Pocklington.	Scisdon.	Sunderland.
Pont-y-Pool.	Selby.	*Swaffham.
		Swansea.

Tamworth.	Uxbridge.	Weymouth.
*Taunton.		Whcatenhurst.
Tavistock.	Wakefield.	Whitby.
*Teesdale.	Wallingford.	Whitechurch.
Tenbury.	Walsal.	Whitechapcl.
*Tendring.	*Walsingham.	Whitchaven.
Tenterden.	Wandsworth and	Wigan.
Tetbury.	Clapham.	*Wigton.
Tewkesbury.	Wangford.	*Williton.
Thakeham.	*Wantage.	Wilton.
*Thame.	Warc.	Wimborne and Cran-
Thanet, Isle of.	Wareham & Purbeck.	borne.
*Thetford.	Warminster.	*Wincanton.
*Thingoe.	Warrington.	Winchcombe.
*Thirsk.	*Warwick.	*Winchester, New.
*Thomas, St.	Watford.	Windsor.
Thornbury.	Wayland.	Winslow.
Thorne.	Weardale.	*Wirrall.
Thrapston.	Wellingborough.	Wisbeach.
Ticehurst.	Wellington (Salop).	Witham.
Tisbury.	Wellington (Som.)	*Witney.
Tiverton.	Wells.	Woburn.
Todmorden.	Welwyn.	Wokingham.
Tonbridge.	Wem.	Wolstanton and
Torrington.	Weobly.	Burslem.
Totnes.	Westbourne.	Wolverhampton.
Towcester.	West Bromwich.	*Woodbridge.
Tregaron.	Westbury-upon-	*Woodstock.
Truro.	Severn.	Worcester.
Tynemouth.	Westbury and Whor-	Worksop.
	welsdown.	Wortley.
Uckfield.	West Derby.	*Wrexham.
Ulverstone.	West Firle.	*Wycombe.
*Uppingham.	West Ham.	
Upton-upon-Severn.	*West Hampnett.	*Yeovil.
Uttoxeter.	West Ward.	*York.

Given under our Hands and Seal of Office, this Twenty-fourth day of July, in the year One thousand eight hundred and forty-seven.

L. S.

(Signed)

GEO. NICHOLLS.

GEORGE CORNEWALL LEWIS.

EDMUND W. HEAD.

CONSOLIDATED ORDERS have subsequently been issued singly to the following Unions on the dates under mentioned; and the remuneration to the Clerk for conducting the annual election of Guardians is in each case fixed at £10; and in the case of contested elections at the same rate as is specified in Article 4 of the Election Expenses Order of 24 July, 1847, *post*.

Barnsley	12th June, 1850.
Barton-upon-Irwell.	24th January, 1850.
Bedwellty	19th March, 1849.
Gower	19th October, 1857.
Great Ouseburn	4th August, 1854.
Hawarden	25th February, 1853.
Hemsworth	29th October, 1850.
Holyhead	15th February, 1853.
Kirkby Moorside	9th February, 1850.
Knaresborough	28th June, 1854.
North Bierley	14th February, 1849.
Oldham	22nd November, 1847.
Penistone	2nd February, 1850.
Prestwich	2nd August, 1850.
Ripon	8th February, 1853.
Samford	16th March, 1849.
Whitchurch (Salop)	19th February, 1853.

ORDERS ISSUED TO INCORPORATIONS.

Consolidated Orders modified to meet the provisions of the local Acts in each place, and omitting the provisions relating to the Election of Guardians, have been issued to the following :—

Bristol	24th April, 1856.
Canterbury	13th June, 1856.
Exeter	20th September, 1856.
St. Mary, Newington	26th January, 1856.

Similar Orders, but omitting the provisions relating to the apprenticeship of pauper children as well as those relating to the election of Guardians, have been issued to

Alverstoke	28th February, 1852.
Birmingham	16th January, 1850.
Chichester	27th March, 1852.
Farnborough	18th June, 1852.
Headley	6th July, 1852.

Kingston-upon-Hull	2nd March, 1850.
Oswestry	16th November, 1850.
Plymouth	6th August, 1853.
Southampton	26th February, 1850.
Stoke Damerel	31st January, 1855.

A similar Order, but omitting the provisions relating to the Custody of Bonds as well as those relating to the Apprenticeship of Pauper Children and the Election of Guardians has been issued to

Salisbury	27th February, 1858.
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Orders containing Rules and Regulations for the Government of the Workhouse and the Appointment and Duties of Workhouse Officers have been issued to

Ash	2nd March, 1837.
Barwick-in-Elmet	19th May, 1848.
Caton	12th February, 1850.
Coventry	10th February, 1844.
Liverpool	27th April, 1843.
Montgomery and Pool	22nd June, 1846.
Norwich	30th March, 1846.
Oxford	16th August, 1843.
St. Giles and St. George, Bloomsbury	21st November, 1850.
St. James, Clerkenwell	5th March, 1844.
St. James, Westminster	17th July, 1850.
St. Luke, Middlesex	24th December, 1842.
St. Margaret and St. John, Westm ^r .	6th April, 1842.
St. Marylebone	16th October, 1856.
St. Paneras	9th December, 1846.
Shrewsbury	27th April, 1850.

Orders have been issued to the Chester Incorporation for

Government of the Workhouse . . .	13th August, 1844.
Appointment, etc., of Relieving Officers	14th December, 1850.
Medical Relief Regulations	9th August, 1851.

In the East and West Flegg, Forehoe, Mutford and Lothingland, and Tunstead and Happing Corporations, the following General Orders of the Poor Law Commissioners are in force:—

Workhouse Rules and Regulations . .	5th February, 1842.
Medical Regulations	12th March, 1842.
Duties of Officers	21st April, 1842.
Proceedings of Boards of Guardians .	22nd April, 1842.

THE CONSOLIDATED ORDER—PARISHES.

To the Guardians of the Poor of the several Parishes and Township named in the Schedule hereunto annexed.

To the Churchwardens and Overseers of the said several Parishes and Township ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Parishes and Township are situate ;—

And to all others whom it may concern.

WE, the Poor Law Commissioners, in pursuance of the authorities vested in Us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled “*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales,*” and by all other Acts amending the same, do hereby rescind every Order, whether General or Special, heretofore issued by the Poor Law Commissioners to the Parishes and Township named in the Schedule hereunto annexed, which relates to the several subjects herein provided for, except so far as the same may have related to the apprenticeship of any poor person not yet completed, or may have required or authorized the appointment of any officer, or the giving of any security, or the making of any contract not yet executed, or the making of any orders by the Guardians for contributions and payments not yet obeyed, or may have defined the salaries of any officers, or have prescribed the districts within which the duties of any officer shall be performed, or may have provided for the class of paupers or their number to be received into any particular Workhouse, or may have made special provisions in respect of the administration of medical relief and the payment of the salaries or fees of me-

dical officers, or may have provided for the election of Guardians in any case where such election shall not have been completed when this Order shall come into force, and except the Orders regulating the mode of election of Guardians in the Parishes of St. Mary Lambeth and Stoke-upon-Trent, and the Township of Leeds.

(This Order is, with the exception of the substitution of the word "Parish" for "Union," similar to the General Consolidated Order to Unions, ante, p. 1. In this Order, however, Art. 161 of the Order of the 24th July, 1847, is omitted, it being inapplicable.)

SCHEDULE,

Containing the Names of the Parishes and Townships to which the annexed Order applies.

Alston-with-Garrigill.	St. George the Martyr, South-
East Stonehouse.	wark.
Leeds.	St. Giles, Camberwell (a).
St. George-in-the-East.	St. Luke, Chelsea.
St. Martin-in-the-Fields.	St. Matthew, Bethnal Green.
St. Mary Abbots, Kensington.	Paddington.
St. Mary, Lambeth.	Stoke-upon-Trent.
St. Mary Magdalene, Bermondsey.	Whittlesea, St. Mary and St. Andrew.
St. Mary, Rotherhithe.	Great Yarmouth.

Given under our Hands and Seal of Office, this Eighth day of December, in the year One thousand eight hundred and forty-seven.

L. S.

(Signed) GEORGE NICHOLLS.
EDMUND W. HEAD.

(a) In consequence of the Guardians of the Parish of St. Giles, Camberwell, keeping their accounts with the Bank of England, so much of the above Order referring to that parish as relates to the appointment and duties of a Treasurer, and of the Articles numbered respectively 82, 83, and 84, as may be contrary to certain new directions, have been suspended by an Order of the Poor Law Board, dated 30th June, 1857. That Order contains the new directions which are to be observed; and the suspension is to continue only during the time that the Guardians keep their account with the Governor and Company of the Bank of England.

CONSOLIDATED ORDERS have subsequently been issued, on the dates undermentioned, to the following Parishes, in each of which relief to the poor is administered under a separate Board of Guardians; the remuneration to the Clerk for conducting the Annual Election of Guardians is in each case fixed at £10; and in the case of contested elections, at the same rate as is specified in Art. 3 of the Election Expenses Order of the 8th December, 1847 (p. 200 *post*), to be paid to the Clerks of all Parishes mentioned in the Schedule of that Order, with the exception of St. Mary and St. Andrew, Whittlesea.

Hampstead, St. John :—

Election of Guardians 20th January, 1849.

Meetings and Proceedings of Guardians;

Appointment and Duties of Officers

other than the Workhouse Officers . 24th May, 1848.

Workhouse Regulations; Appointment

and Duties of Workhouse Officers . 19th August, 1850.

Manchester 31st May, 1850.

Mile End Old Town 4th April, 1857.

St. Leonard, Shoreditch (b) 5th October, 1858.

Saddleworth 18th July, 1853.

Toxteth Park 16th June, 1857.

Regulations have been issued for the Government of the Schools of the Workhouses of the following places :—

Lambeth..... Norwood Schools..... 23 June, 1852.

Leeds Beckett St. „ 8 March, 1854.

Liverpool..... Kirkdale „ 7 August, 1856.

Manchester Swinton „ 6 July, 1852.

Oxford Cowley „ 24 November, 1854.

Shoreditch Brentwood „ 28 July, 1854.

St. George-in-the-East Plashet „ 14 June, 1852.

St. George the Martyr Mitcham „ 18 Aug. 1855.

St. James, Westm.... Battersea „ 6 July, 1852.

Strand Edmonton „ 3 January, 1856.

Whitechapel..... Forest Lane „ 17 March, 1854.

(b) This Order was issued pursuant to the 21 & 22 Vict. c. cxxxii. s. 9.—the “St. Leonard, Shoreditch, Act, 1858.”

ELECTION EXPENSES ORDER—UNIONS.

To the Guardians of the Poor of the several Unions named in the Schedules hereunto annexed ;—

To the Churehwardens and Overseers of the Poor of the several Parishes comprised in the said several Unions ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions are situate ;—

And to all others whom it may concern.

WE, the Poor Law Commissioners, do hereby, under the authority of an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales,*" rescind all such of the provisions contained in any Order or Orders under the hands and seal of the Poor Law Commissioners as direct the payment of expenses to be incurred in the election of Guardians of the Poor for the several Parishes comprised in the several Unions named in the Schedules hereunto annexed.

And whereas by a General Order under the hands and seal of the Poor Law Commissioners, bearing even date herewith, addressed to the Guardians of the Poor of the said several Unions, the said Commissioners have (amongst other things) prescribed the manner of conducting the future election of Guardians of the Poor for the several Parishes comprised in the said Unions ; and it is expedient that provision should be made for the payment of the expenses to be incurred in such elections.

Now, therefore, We, the said Poor Law Commissioners,

do hereby order and direct in regard thereto, with reference to each of the said Unions named in the said Schedules as follows :—That the expenses of every future election of Guardians of the Poor of the several Parishes comprised in the said Unions shall be defrayed by the Guardians of the said Unions in the manner hereinafter set forth ; that is to say,—

Art. 1.—The cost of providing the several Forms marked (A.), (D.), and (E.), contained in the said Order, being the Notice of Election, the Notice to the Guardians elected, and the Certificate of the Election, shall be defrayed out of the common fund of the Union.

Art. 2.—The cost of providing the Form marked (C.), contained in the said Order, being the Voting Paper, shall be defrayed out of the funds in the possession of the said Guardians belonging to the respective Parishes to which the Voting Papers shall relate.

Art. 3 (a).—The compensation which shall be paid to the Clerk, or to the person appointed under the authority of the said recited Order to act as such in the performance of the duties thereby prescribed, shall include the remuneration of the persons who may have been appointed or employed to assist him in conducting and completing the election, and shall, in respect of the several Unions named in the following Schedule marked (A.), be such sum, not exceeding *Ten Pounds*, as the Guardians shall determine, and shall, in respect of the several Unions named in the following Schedule marked (B.), be such sum, not exceeding *Fifteen*

(a) This Article applies to special as well as to general elections, and under it the Guardians may award such compensation as they may think fit, within the limit prescribed, to the Clerk for conducting special elections of Guardians. As regards the discretionary power of the Guardians under this Article, see *Ex parte Metcalfe*, 6 E. & B. 287. In that case the Court refused to order a Local Board of Health to pay a reasonable compensation to the person conducting the first election of the Local Board, upon a suggestion that an inadequate sum had been allowed ; as the Local Board had a discretion as to what sum it was reasonable to allow, and the exercise of their discretion in this respect is not a subject to review.

Pounds, as the Guardians shall determine, and such sums respectively shall be defrayed out of the common fund of the Unions.

Art. 4 (b).—And in the case of every contested election, one farthing per head on the population of the Parish in which the contest shall have taken place, if the population shall be more than five hundred, and one halfpenny per head on the population of the Parish in which the contest shall have taken place, if the population be not more than five hundred, shall be paid to the said Clerk or other person as aforesaid in addition to such compensation, and shall be defrayed out of the funds in the possession of the said Guardians belonging to such Parish. And for the purpose of ascertaining the last-mentioned sums, the population of the Parish shall be taken to be as stated in the Census which at the time of such election shall have been last made under the authority of any Act of Parliament.

And We do hereby declare, that whenever the word "Parish" is used in this Order, it shall be taken to signify any Place in the Union separately maintaining its own Poor.

SCHEDULE A.

Containing the Names of the Unions in which the sum is not to exceed Ten Pounds.

(The Unions in this Schedule are those contained in the Schedule to the General Consolidated Order of 24th July, 1847, which are not distinguished by an asterisk. See page 186.)

(b) Sometimes after the voting papers are prepared, candidates withdraw from the election, in consequence of which no contest arises. As to the allowance to the Clerk in such a case, see 24 O. C. 55, and 39 O. C. (N.S.) 104. It seems however that if the voting papers be actually issued, the Clerk would be entitled to payment according to this Article.

SCHEDULE B.

Containing the Names of Unions in which the sum is not to exceed Fifteen Pounds.

(The Unions in this Schedule are those contained in the Schedule to the General Consolidated Order of 24th July, 1847, which are distinguished by an asterisk. See page 186.)

Given under our Hands and Seal of Office, this Twenty-fourth day of July, in the year One thousand eight hundred and forty-seven.



(Signed)

GEO. NICHOLLS.

G. C. LEWIS.

EDMUND W. HEAD.

The Consolidated Orders, subsequently issued to the following Unions, contain clauses providing for the expenses attending the elections of Guardians. See note to Article 173 of the Consolidated Order. The payment for conducting the Election is fixed at the same amount as is prescribed by this Order for the Unions in Schedule A.

The following are the Unions referred to :—

Barnsley.	Knaresborough.
Barton-upon-Irwell.	North Bierley.
Bedwellty.	Oldham.
Gower.	Penistone.
Great Ouseburn.	Prestwich.
Hawarden.	Ripon.
Hemsworth.	Samford.
Holyhead.	Whitechurch (Salop).
Kirkby Moorside.	

ELECTION EXPENSES ORDER—PARISHES.

*To the Guardians of the Poor of the several Parishes named
in the Schedule hereunto annexed ;—*

*To the Clerk or Clerks to the Justices of the Petty
Sessions held for the Division or Divisions in
which the said several Parishes are situate ;—*

And to all others whom it may concern.

WHEREAS, by a General Order, under the hands and seal of the Poor Law Commissioners, bearing even date herewith, addressed, amongst others, to the Guardians of the Poor of the several Parishes named in the Schedule hereto, the said Commissioners have (amongst other things) prescribed the manner of conducting the Election of Guardians of the Poor for the said several Parishes ; and it is expedient that provision should be made for the payment of the expenses to be incurred in such Elections.

Now, therefore, We, the said Poor Law Commissioners, do hereby order and direct henceforth in regard thereto, with reference to each of the said Parishes, as follows :— That the expenses of every Election of Guardians of the Poor of the said several Parishes shall be defrayed by the Guardians of the said Parishes in the manner hereinafter set forth ; that is to say,—

Art. 1.—The cost of providing the several Forms contained in the said Orders shall be defrayed by the said Guardians out of the funds in their possession belonging to the said Parish.

Art. 2.—The compensation which shall be paid to the Clerk, or to the person appointed under the authority of the said recited Orders to act as such in the performance of the duties thereby prescribed, shall in-

clude the remuneration of the persons who may have been appointed or employed to assist him in conducting and completing the Election, and shall, in respect of the said several Parishes, be such sum, not exceeding *Ten Pounds*, as the Guardians shall determine, and shall be defrayed by the said Guardians out of the said funds.

Art. 3.—And in the case of every contested Election in the Parish of Saint Mary and Saint Andrew Whittlesea *Threepence*, and in every other of the said Parishes *Twopence*, in respect of each person separately assessed to the Poor-rate of the Parish shall be paid to the said Clerk or other person as aforesaid in addition to such compensation, and shall be defrayed by the said Guardians out of the said funds.

SCHEDULE,

Containing the Names of the Parishes to which the present Order applies.

Alston-with-Garrigill.	St. Martin-in-the-Fields.
Bermondsey, St. Mary Magdalen.	St. Mary Abbots, Kensington.
East Stonehouse.	St. Mary, Rotherhithe.
Paddington.	Whittlesea, St. Mary and St. Andrew.
St. Matthew, Bethnal Green.	Great Yarmouth.
St. George-in-the-East.	

Given under our Hands and Seal of Office, this Eighth day of December, in the year One thousand eight hundred and forty-seven.



(Signed)

GEO. NICHOLLS.
EDMUND W. HEAD.

Election Expenses Orders have subsequently been issued to the following Parishes:—

Parishes.	Dates of Orders.	Payments allowed.
Chelsea, St. Luke's	13th Mar. 1851	{ 10 <i>l.</i> and 2 <i>d.</i> for each person assessed.
Lambeth, St. Mary	14th Dec. 1849	do. do.
Leeds	8th Dec. 1847	{ 20 <i>l.</i> and 2 <i>d.</i> for each person separately or jointly assessed.
Stoke-upon-Trent	16th Sep. 1847	{ 10 <i>l.</i> and 2 <i>d.</i> for each person separately assessed.

The rates of payment for conducting the elections in Hampstead, Manchester, Mile End Old Town, St. Leonard Shoreditch, Saddleworth, and Toxteth Park, are mentioned *ante*, p. 195.

NOTICE TO GUARDIANS ELECTED ORDER.

To the Guardians of the Poor of the several Unions (a) set forth in the First and Second Schedules hereunto annexed ;—

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said several Unions ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions are respectively situate ;—

And to all others whom it may concern.

WHEREAS the Poor Law Commissioners, by an Order bearing date the 24th day of July, 1847, being a general rule addressed (amongst others) to the Guardians of the Poor of the several Unions mentioned in the First Schedule hereunto annexed, and the Poor Law Board, by divers Orders, the dates whereof are respectively set forth in the Second Schedule hereunto annexed, addressed to the several Unions therein also set forth, did, among other matters, order and direct that the Clerk to the Guardians, when he shall have ascertained that any Candidate is duly elected as Guardian, shall notify the fact of his having been so elected by delivering or sending, or causing to be delivered or sent, to him a notice in the Form (D.) thereunto annexed, which said Form is the following :—

(a) This Order was not issued to single Parishes under separate Boards of Guardians, but only to Unions.

Notice to Guardians elected.

—— Union.

Parish of ——.

Sir,—I do hereby give you notice, and declare, that you have been duly elected a Guardian of the Poor for the Parish of —— in the —— Union, and that the next meeting of the Board of Guardians of the said Union will be held at —— on —— next, at the hour of ——.

Signed this —— day of ——.

—— Clerk to the Guardians of the Poor of
the —— Union.

To Mr. —— of ——.

And whereas in the Act passed in the last Session of Parliament, intituled "*An Act to continue an Act of the Fourteenth Year of her Majesty for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor,*" it was enacted, that the Guardians elected for the several Parishes in any Union formed or to be formed under the Act of the fifth year of King William the Fourth, Chapter Seventy-six, or for the several Wards in any Parish divided into Wards, should continue to act as such until the Fifteenth day of April inclusive in each year, notwithstanding their successors might have been elected previously to that day; and from and after the said Fifteenth day of April every Guardian newly elected for any such Parish or Ward should act as such Guardian for the ensuing year.

And whereas it is expedient that the said Form of Notice should be altered so as to render it conformable to the said enactment.

Now, therefore, We, the Poor Law Board, in pursuance of the powers given in and by the Statutes in that behalf made and provided, do hereby alter so much of the said recited General Order, and so much of the several Orders which are referred to in the Second Schedule hereunto annexed, as prescribes the Form of Notice to Guardians elected as above set forth; and We do hereby Order and Direct, that such Form shall be as follows; that is to say,—

FORM (D.)

Notice to Guardians elected.

——— Union.

Parish [*or* Township] of ———.

Sir, I do hereby give you notice, and declare that you have been duly elected a Guardian of the Poor for the Parish [*or* Township] of ——— in the ——— Union, and that the first meeting of the Board of Guardians of the said Union at which you will be lawfully entitled to attend and act as Guardian will be held at ——— on ——— day, the ——— [*add instant, or* April next], at the hour of ———.

Signed this ——— day of ———.

——— Clerk to the Guardians of the Poor of
the ——— Union.

To Mr. ——— of ———.

FIRST SCHEDULE to which the above Order refers.

(The Unions in this Schedule are, with the exception of those mentioned in the Second Schedule hereunder, those specified in the Schedule to the General Consolidated Order of 24th July, 1847.)

SECOND SCHEDULE to which the above Order refers.

Barnsley	12th June, 1850.
Barton-upon-Irwell	24th January, 1850.
Bedwelty.	19th March, 1849.
Hemsworth	29th October, 1850.
Kirkby Moorside	9th February, 1850.
North Bierley	14th February, 1849.
Oldbam	22nd November, 1847.
Penistone	2nd February, 1850.
Prestwich	2nd August, 1850.
Samford	16th March, 1849.

Given under our Hands and Seal of Office, this Twenty-second day of March, in the year One thousand eight hundred and fifty-two.


 L. S.

JOHN TROLLOPE, *President.*
S. H. WALPOLE.
B. DISRAELI.

COURTENAY, *Secretary.* ———

*** Consolidated Orders issued subsequently to the date of this Order are in accordance therewith.

ORDER FOR A FRESH ELECTION OF A
GUARDIAN (a).

To the Guardians of the Poor of the — Union, in the
County of — ; —

To the Churchwardens and Overseers of the Poor
of the Parish of —, in the said Union ;—

To the Clerk or Clerks to the Justices of the Petty
Sessions held for the Division or Divisions in
which the said Union is situate ;—

And to all others whom it may concern.

WHEREAS by an Order, being a General Rule, bearing date the twenty-fourth day of July, One thousand eight hundred and forty-seven, addressed (among others) to the Guardians of the Poor of the — Union, the Poor Law Commissioners prescribed the manner of conducting the Election of Guardians of the Poor for the several Parishes and Places comprised in the said Union, and directed that the proceedings thereat should take place at the times therein mentioned.

And whereas, by a certain Order of the said Commissioners in that behalf, one Guardian is directed to be elected for the Parish of —, comprised in the said Union.

And whereas —, the Guardian elected for the said Parish, hath tendered his resignation of the said office for the acceptance of the Poor Law Board, for certain causes

(a) This Order is only issued when a vacancy in the office of Guardian occurs previous to the expiration of the parochial year (25th March), when the General Elections take place. It is of course varied according to the circumstances occasioning the vacancy. Orders for fresh elections of Guardians are issued under the authority of the 5 & 6 Vict. c. 57, s. 11 ; which enacts that in every case of omission to elect, or of vacancy in any Board of Guardians, by death, resignation, or disqualification, the Poor Law Board shall be deemed to be empowered to order a new election for the completion of the Board of Guardians.

which they have deemed reasonable, and they have accepted such resignation, and it is necessary, for the due and proper administration of the relief of the Poor in the said Union, that one Guardian should be elected for the said Parish.

(Or, if the vacancy occurred by the death of the elected Guardian:)—And whereas —, the Guardian elected for the said Parish, is deceased, and there is at present no Guardian for the said Parish, and it is necessary, for the due and proper administration of the relief of the Poor in the said Union, that one Guardian should be elected for the said Parish.

(Or, if there was default in the election of a Guardian:)—And whereas, by reason of default of election, there is at present no Guardian for the said Parish of — for the present year, and it is necessary, for the due and proper administration of the relief of the Poor in the said Union, that one Guardian should be elected for the said Parish.

(Or, if the vacancy occurred by the elected Guardian having ceased to be rated:)—And whereas —, the Guardian elected for the said Parish, has ceased to be rated to the Poor-rate in any Parish or Place within the said Union, and is disqualified to act as such Guardian, and there being now no Guardian for the said Parish, it is necessary, for the due and proper administration of the relief of the Poor in the said Union, that one Guardian should be elected for the said Parish.

(Or, if the Guardian has become incapacitated for holding the office:)—And whereas — has been elected a Guardian for the said Parish, but, by reason of his holding the office of — in the said — Union, he is incapable of serving as a Guardian, and there being now no Guardian for the said Parish, it is necessary, for the due and proper administration of the relief of the Poor in the said Union, that one Guardian should be elected for the said Parish.

Now We, the Poor Law Board, do hereby Order and Direct, that an Election of one Guardian for the said Parish of — shall take place, in the manner and according to the form prescribed in the above-recited Order.

And We do hereby further Order and Direct, that the

days on which the proceedings above mentioned, in the matter of the said Election, are to take place, shall be the following, that is to say,

The day for publishing the notice of the election shall be the —— day of —— next.

The last day for receiving nominations of a Guardian shall be the —— day of —— next.

The day on which the voting papers shall be delivered in the event of any contest, shall be the —— day of —— next.

The day on which the voting papers shall be collected shall be the —— day of —— next.

The day on which the votes shall be cast up shall be the day of —— next.

And We hereby Order and Direct, that the Clerk to the Guardians of the said Union do perform such of the duties imposed upon him by the said recited Order, and all other duties suitable to his office, which it may be requisite for him to perform in conducting and completing the Election hereby ordered and directed to take place; provided however, that the notice of the Election to be given by the said Clerk shall be affixed on the outward gate of the Workhouse now occupied by the said Guardians on behalf of the said Union, and on such places in the said Parish as are ordinarily made use of for affixing thereon notices of parochial business.

Given under our Hand and Seal of Office, this —— day of May, in the year One thousand eight hundred and fifty-five.

——, *President.*

——, *Secretary.*

ORDER FOR DIVISION OF PARISH INTO
WARDS FOR ELECTION OF GUARDIANS (a).

*To the Guardians of the Poor of the — Union, in the
County of —;—*

*To the Churchwardens and Overseers of the Poor
of the Parish of —, comprised in the said
Union:—*

*To the Churchwardens and Overseers of the Poor
of the several other Parishes comprised in the
said Union;—*

*To the Clerk or Clerks to the Justices of the Petty
Sessions held for the Division or Divisions in
which the said Union is situate;—*

And to all others whom it may concern.

WHEREAS, by an Order bearing date the — day of
— One thousand eight hundred and —, the Poor Law
Commissioners ordered and declared that the Parishes and
Places described in the margin thereof, should be united,
for the administration of the laws for the relief of the
Poor, by the name of the — Union.

And whereas the Parish of — was included amongst
the Parishes and Places so named in the said Order as
aforesaid.

And whereas by the said recited Order the Poor Law
Commissioners determined the number of Guardians of
the Poor to be elected for each of the said Parishes, and
determined that — Guardians of the Poor should be
elected for the said Parish of —.

And whereas the said Parish of — contains more than
twenty thousand persons, according to the enumeration of
the population last published by authority of Parliament,
and it appears to Us, the Poor Law Board, to be expedient

(a) This Order can be issued only in those cases in which the
population of the parish exceeds 20,000. See the 7 & 8 Vict. c.
101, s. 19.

that the said Parish should be divided into Wards for the purpose of the conduct of the Election of Guardians of the Poor for the same.

Now, therefore, We, the said Poor Law Board, in pursuance of the powers given in and by the Statutes in that case made and provided, do hereby Order and Direct, that for the purpose of the conduct of the Election of Guardians of the Poor the said Parish of —— shall be divided into the —— Wards hereinafter described, each of which Wards now contains a number of rated houses not less than four hundred, and the said Wards shall be named respectively—
—— Ward ;

The —— Ward shall be bounded by, etc.

And for all the purposes of such Election of Guardians, We do hereby Direct, that each of the said Wards shall be considered as a separate Parish.

And having due regard to the value of the rateable property therein, We do determine the number of Guardians to be elected for each of the said Wards to be as follows, (that is to say,)

That —— Guardians shall be elected for the —— Ward ;

And We do hereby further Order and Direct, that the Guardians to be elected for the said several Wards shall be elected in such manner and form, and at such time, as the Poor Law Commissioners have, by their Order, bearing date the (Twenty-fourth day of July), One thousand eight hundred and (forty-seven), determined in respect to the annual Election of Guardians for the Parishes comprised within the said —— Union,

And We hereby also further Order, that the several forms of notices and documents, and all the proceedings by the said last-mentioned Order prescribed in respect of such Election of Guardians, shall be altered by the addition or substitution of the term *Ward*, with the name thereof, to or for the term *Parish*, wherever the same shall be rendered requisite by the nature of the proceedings.

Given under our Hand and Seal of Office, this —— day of ——, in the year One thousand eight hundred and ——.

——, *President.*

——, *Secretary.*

Orders similar to the foregoing have been issued to the following Unions and Parishes:—

Unions, etc.	Parishes ; Wards ; and No. of Guardians.	Date of Orders.
Ashton-under-Lyne.	Asht.-u.-Lyne. { Audenshaw 1 Hartshead 3 Knott Lanes 1 East Ward of the Town's Division... 3 West Ward of the Town's Division... 2	19 Feb. 1849.
Blackburn.....	Blackburn. { Saint Mary's 1 Saint John's 1 Trinity..... 1 Park..... 2 St. Peter's 2 St. Paul's..... 2	2 Oct. 1851.
Cheltenham. ...	Cheltenham. { East..... 3 North 3 West 3 Middle..... 3 South 3	15 Feb. 1850.
Hackney	Hackney. { Hackney 3 Homerton..... 1 South Hackney 3 Dalston 1 Stamford Hill..... 2 West Hackney 2 De Beauvoir Town... 2	2 Mar. 1850. 3 Jan. 1852.
Lambeth	St. Mary. { Bishop's 3 Marsh and Wall..... 6 Out Liberty 8 Prince's Liberty 3	21 May 1846.*
Leeds.....	Leeds. { East 2 Kirkgate 2 Mill Hill 3 North 2 North-east 2 North-west 2 South 2 West 3	21 Nov. 1844.*
Leicester.	St. Margt. { No. I. 4 No. II..... 5 No. III. 4 No. IV. 4	25 Feb. 1851.

* These Orders also provide for the mode of conducting the election of Guardians. See the exemption in the preamble to the Consolidated Order to Parishes, page 194, *ante*.

Unions, etc.	Parishes ; Wards ; and No. of Guardians.	Date of Orders.
Nottingham.	St. Mary. { First 4 Second..... 4 Third 3 Fourth..... 3 Fifth 3	6 Mar. 1846.
Oldham	Oldham. { North Ward above Town 2 South Ward above Town 2 North Ward below Town 2 South Ward below Town 2	24 Feb. 1848.
Preston.....	Preston. { Christ Church. 2 Fishwick 2 St. John's 2 St. Peter's 2 St. George's..... 2 Trinity..... 2	29 Feb. 1848.
Rochdale.	Spotland. { Spotland, nearer side 2 Spotland, further side 2 Whitworth & Brand- wood 2	22 Feb. 1856.
Shoreditch.....	St. Leonard. { No. 1, or Moorfields 6 No. 2, or Church ... 7 No. 3, or Hoxton ... 7 No. 4, or Wenloek... 6 No. 5, or Whitmore . 4 No. 6, or Kingsland . 4 No. 7, or Haggerstone 3 No. 8, or Acton 3	9 Sep. 1858.*
Stoke-upon- Trent.	Stoke-u.-Trent. { Shelton 5 North 6 South-west 5 Fenton..... 3 South-east 5	16 Dec. 1845.†
Stourbridge. ...	Kingswinford. { Brierley Hill 3 Broekmoor 1 Pensnett 2 Quarry Bank 1 St. Mary's 2 Wordsley..... 2	10 Feb. 1853.
Great Yar- mouth.	Gt. Yarmth. { North 3 Market..... 3 Regent..... 3 St. George's..... 3 Nelson 4	3 Jan. 1852.

* See also 21 & 22 Vict. c. cxxxii. sect. 13.

† See note to Lambeth.

RELIEF COMMITTEES ORDER.

To the Guardians of the Poor of the —— Union, in the County of —— ;—

To the Churchwardens and Overseers of the Poor of the several Parishes, Townships, and Places comprised in the said Union ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Union is situate ;—

And to all others whom it may concern.

WHEREAS, by a General Order, addressed (amongst others) to the Guardians of the Poor of the —— Union, in the County of ——, bearing date the Twenty-fourth day of July, in the year One thousand eight hundred and forty-seven, the Poor Law Commissioners made certain provisions to regulate the Meetings of the Guardians of the Poor of the said Union, and the proceedings of the Board of such Guardians, by reason whereof the relief to all the paupers belonging to the said Union is exclusively controlled and managed by the whole of the said Guardians sitting as one Board.

And whereas in the said Union the number of paupers requiring relief is at this time very large, and it is expedient that other provisions should be made in such behalf.

Now, therefore, in pursuance of the powers given in and by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled, "*An Act for the Amendment and better Administration of the*

Laws relating to the Poor in England and Wales," We, the Poor Law Board, do hereby Order and Direct as follows; viz.—(a)

First.—That the Guardians of the Poor of the said Union may, at any ordinary meeting, form Committees of themselves, and may from time to time assign to any one of such Committees the whole or part of the District of any of the Relieving Officers of the said Union, in order that such Committee may hear and determine all applications for relief on account of poor persons residing or being in the District which may have been so assigned to such Committee, and may give all directions respecting the continuance of relief to poor persons belonging to such District, in such manner as the Guardians acting as a Board may now, or shall hereafter, be authorized to do.

Secondly.—That all the proceedings of such Committee shall be entered into the Application and Report Book of the Relieving Officer of the District, or into some other book to be kept for this purpose, by the presiding Chairman thereof, and such book shall be laid before the Board of Guardians at the same or at their next ordinary meeting, after each sitting of the said Committee, as may be the more convenient; and thereupon the Clerk to the said Guardians shall enter on the minutes of the said Board of Guardians the fact of the same having been so laid before them.

Provided that nothing in this Order contained shall at any time prevent the Guardians, acting as a Board, from rescinding or altering any Order of such Committee in regard to relief not previously administered, or from considering and deciding on any application from any poor person, or determining on the continuance or cessation of

(a) The Order contemplates that the determination of the Relief Committee in the cases adjudicated upon shall be reported to the Board of Guardians at the earliest convenient period. When a Committee is sitting at the same time as the General Board, the report should be made then and there. On receiving the report, it would be competent to the Guardians to reverse or modify the decision of the Committee in any case in which the relief ordered

any weekly or other allowance which shall not have been actually given.

Given under our Hand and Seal of Office, this — day of —, in the year One thousand eight hundred and forty-seven.

—, *President.*

—, *Secretary.*

Orders similar to the foregoing have been issued to the following Unions and Parishes:—

Altrincham	8th February, 1856.
Ashton-under-Lyne	24th November, 1847.
Barnsley	23rd October, 1850.
Basford	12th November, 1852.
Blything	24th October, 1856.
Bolton	6th January, 1848.
Bradford (Yorkshire)	27th November, 1847.
Cambridge	7th March, 1856.
Carlisle	19th March, 1853.
Chelmsford	22nd February, 1858.
Charlton	29th December, 1858.
Cockermouth	18th August 1855.
Cosford	11th March, 1856.
Depwade	17th June, 1856.
Ely	23rd July, 1856.
Fulham	7th February, 1855.
Greenwich	22nd October, 1856.
Halifax	2nd March, 1847.
Hitchin	13th November, 1856.
Huddersfield	10th May, 1853.
Keighley	2nd December, 1857.
Lambeth, St. Mary	2nd March, 1855.
Lancaster	9th January, 1847.
Leigh	26th January, 1848.
Lexden and Winstreo	18th March, 1856.
Linton	6th September, 1856.
Manchester	19th June, 1850.
Newmarket	19th April, 1856.
Nottingham	29th November, 1856.

had not already been given; but the revision of the decisions of the Committee should not take place until the Committee have gone through and reported upon the whole of the cases.

Oldham	22nd November, 1847.
Preston	6th May, 1848.
Saffron Walden	18th February, 1856.
St. Asaph	14th June, 1856.
Salford	4th May, 1848.
Sheffield	23rd February, 1854.
South Shields	22nd January, 1857.
Todmorden	11th July, 1848.
Toxteth Park	20th August, 1857.
Tynemouth	11th March, 1857.
Wandsworth and Clapham . .	16th March, 1855.
Wangford	16th April, 1856.
Warwick	30th August, 1858.
West Derby	13th November, 1856.
Wigan	15th May, 1848.
Wigton	16th January, 1856.
Wisbeach	4th November, 1852.

DISTRICT RELIEF COMMITTEES ORDER (a).

To the Guardians of the Poor of the — Union, in the
County of —;—

*To the Churchwardens and Overseers of the Poor
of the Parishes of —, in the said Union;—*

*To the Clerk or Clerks to the Justices of the Petty
Sessions held for the Division or Divisions in
which the said Union is situate;—*

And to all others whom it may concern.

WHEREAS the Parishes of — are comprised in the
— Union, in the County of —, and are situated at a
greater distance than four miles from the place of meeting
of the Board of Guardians of the said Union.

(a) With respect to this Order, see the 5 & 6 Viet. c. 57, s. 7,
which enacts that whenever the whole of any Parish or Parishes
is situated at a greater distance than four miles from the place
of meeting of the Board of Guardians of the Union of which
such Parish or Parishes may form part, it shall be lawful for the

Now We, the Poor Law Board, by virtue of the powers given in and by the statutes in that behalf made and provided, and on the application of the said Board of Guardians, do hereby form the said Parishes into a District for the purposes hereinafter mentioned, with reference to relief to the poor persons therein requiring the same.

And We do hereby Direct the said Guardians, from time to time, to appoint a Committee of their Members for such District, to receive applications of poor persons therein requiring relief, and to examine into the cases of such poor persons, and to report to the said Guardians thereon.

And We do hereby further Order and Direct that the said Committee shall, when formed, appoint some convenient time and place within the said District, whereat all applications to such District Committee shall be made and heard, and shall communicate the same to the Clerk of the Guardians of the said Union, who shall cause notice thereof to be published in the said Parishes.

And We do further Direct that the said Committee shall, at every meeting, appoint some one of themselves to preside thereat, as Chairman, during that meeting, and shall take means to have minutes of their proceedings kept, so that the same may be duly reported to the Board of Guardians of the said Union.

And We do hereby further Order and Direct :—

First.—That the Relieving Officers of the said Union within whose District the said Parishes or either of them shall be situated, shall attend upon the said Committee, as and when the said Committee shall hold their meetings, and shall examine into the cases for relief which shall be brought before the said Committee, and shall report thereon to such Committee in like manner, as prescribed by the Poor Law Commissioners, in their General Order, dated the Seventeenth day of March,

Commissioners, on the application of the Board of Guardians, to form such Parish or Parishes into a district, and to direct the said Guardians from time to time to appoint a committee of their members to receive applications of poor persons requiring relief in such districts, to examine into the cases of such poor persons, and to report to the said Guardians thereon.

One thousand eight hundred and forty-seven, in their General Order dated the Twenty-fourth day of July, One thousand eight hundred and forty-seven, in regard to all applications for relief made to the Board of Guardians.

Secondly.—That each Relieving Officer shall enter into his Application and Report Book, the recommendations of the said District Committee, and report the same, with the cases, to the next meeting of the Board of Guardians.

Provided nevertheless, that the examination or recommendation of any case by the said Committee, shall not exonerate or discharge any such Relieving Officer, from the duty imposed upon him, to relieve, or otherwise deal with every case, occurring within his District, requiring relief, according to the manner prescribed by the said last-mentioned General Order.

And We hereby further Order and Direct, that the Clerk to the said Guardians shall enter upon the minutes of the Board the reports of the said Committee, and shall also enter the recommendations of such Committee, contained in the Application and Report Book of the said Relieving Officer, in the Relief Order Book.

Given under our Hand and Seal of Office, this —— day of ——, in the year One thousand eight hundred and ——

——, *President.*

——. *Secretary.*

WORKHOUSE DIETARIES—GENERAL ORDER.

*To the Guardians of the Poor of the several Unions named
in the Schedule hereunto annexed ;—*

*To the Clerk or Clerks to the Justices of the
Petty Sessions held for the Division or Divi-
sions in which the said Unions are situate ;—*

And to all others whom it may concern ;—

WHEREAS the Poor Law Commissioners have, by various Orders under their Hands and Seals, issued to the several Unions named in the Schedule hereunto annexed, the dates whereof are set forth in the said Schedule, ordered and directed that the Paupers of the respective Classes and Sexes who might then or thereafter be received and maintained in every Workhouse of the said respective Unions should, during the period of their residence therein, be fed, dieted, and maintained with the food and in the manner described in the Table or Tables set forth in each Order respectively.

Now We, the Commissioners for administering the Laws for Relief of the Poor in England, do hereby confirm all the said Orders now in force in the said several Unions ; and do Order and Direct, that the same shall continue to be acted upon and obeyed in the Unions to which the same have been respectively directed until the said Commissioners shall, with reference to any one or more of such Unions, by their Order, otherwise Direct.

Provided, however, that if the Guardians of any Union shall at any time or times deem it expedient that a change should be made, either temporarily or permanently, in the nature or quantity of the food specified in the Order last issued to such Union, or in the manner therein described, and shall send a complete and accurate statement of the

proposed alteration, in writing, signed by the presiding Chairman of the meeting of the Board whereat the resolution for making such alteration was adopted, to the said Commissioners, and the said Commissioners shall sanction and approve of such alteration, the Guardians may, when the same shall have been so sanctioned and approved of, but not before, cause the same to be adopted and used in the Workhouse or Workhouses of the said Union, as the case may be, without any further Order of the said Commissioners in that behalf.

Provided also, that nothing herein contained shall be taken to rescind or alter any Provision or Regulation of the Poor Law Commissioners contained in their General Order bearing date the Twenty-fourth day of July, One thousand eight hundred and forty-seven, and addressed to the said several Unions herein referred to, which applies to the subject of the diet of the Paupers in the Workhouse or Workhouses of such Unions.

SCHEDULE above referred to.

(The Unions in this Schedule are those which are contained in the Schedule to the General Consolidated Order of the 24th July, 1847, excepting the following Unions :—

Anglesey.	Conway.	Holsworthy.
Auekland.		Houghton-le-Spring.
	Dolgelly.	Huddersfield.
Bala.	Dulverton.	
Bolton.	Durham.	Keighley.
Boughton, Great.		Kingston-upon-
Bradford (York).	Easington.	Thames.
Builth.	East Ward.	Knighton.
Burnley.		
Bury.	Fylde.	Lampeter.
		Laneaster.
Camelford.	Garstang.	Leigh.
Cardigan.	Glossop.	Llandilo-Fawr.
Carlisle.		Llanwrst.
Chorley.	Haslingden.	Loddon and Claver-
Congleton.	Hemel Hempstead.	ing.

London, City of.	Penrith.	Salford.
London, West.	Pocklington.	Settle.
	Presteigne.	Stratton.
Machynlleth.	Preston.	
Merthyr Tydvil.	Pwllheli.	Todmorden.
		Tregaron.
Newcastle-in-Emlyn.	Reading.	
Nottingham.	Rhayader.	Wakefield.
	Rochdale.	Welwyn.
Olave's, St.	Romsey.	West Derby.
Ormskirk.	Runcorn.	Wigan.
	Ruthin.	Wisbeach.
Pateley Bridge.		Wortley.)

Given under our Hands and Seal of Office, this Sixteenth day of February, in the year One thousand eight hundred and forty-eight.



CHAS. BULLER, JR., *President*.
G. GREY.
C. WOOD.

The following is the form in which an amended dietary table is sanctioned by the Poor Law Board:—

At a Meeting of the Board of Guardians of the —— Union, held on the —— day of ——, 185—, it was resolved that the following amended Dietary Table for the Paupers, of the respective classes and sexes hereunder described, in the Workhouse of the said Union be submitted for the sanction and approval of the Poor Law Board, pursuant to the General Dietary Order of that Board, dated the 19th of February [*here follows the Table*].

The aged and infirm are, at the discretion of the Guardians, to be allowed at breakfast and supper, in lieu of the allowances of milk, porridge, sturrow, broth, and cheese at these meals, specified in the above table, $1\frac{1}{2}$ oz. of tea, together with 6 oz. of butter, and 6 oz. of sugar per week.

Children under 9 years of age to be dieted at discretion (a) ; above 9 and under 16, to be allowed the same quantities as women.

Siek, to be dieted as directed by the Medical Officer.

—, *Presiding Chairman.*

I consider the allowanees in the above amended dietary to be sufficient.

—, *Medical Officer.*

POOR LAW BOARD, — 185—.

The Poor Law Board sanetion the above amended dietary table.

—, *Secretary.*

(a) The Poor Law Board have, however, by a Circular dated 22nd April, 1856, recommended that distinet dietary tables should be formed for children under 9 years of age,—one for those from 2 to 5 years old, and another for those from 5 to 9. They direct that the dietaries should be prepared by the Guardians, with the assistance of the Medical Officer ; and when prepared, submitted for their approval. With the view of affording the Guardians some assistance in carrying out the suggestion, the Board recommended for the consideration of the Guardians and the Medical Officer, the following Dietary Tables :—

TABLE A. CHILDREN FROM 2 to 5.										TABLE B. CHILDREN FROM 5 to 9.											
		Break-fast.		Dinner.				Supper.				Break-fast.		Dinner.				Supper.			
		Bread.	Milk.	Meat.	Potatoes.	Suet Pudding.	Rice Pudding.	Bread.	Butter.	Milk and Water.			Bread.	Milk.	Meat.	Potatoes.	Suet Pudding.	Rice Pudding.	Bread.	Butter.	Milk and Water.
		oz.	Pts.	oz.	oz.	oz.	oz.	o	oz.	Pts.			oz.	Pts.	oz.	oz.	oz.	oz.	oz.	oz.	Pts.
Sunday	4	$\frac{1}{2}$		3	8	—	—	4	$\frac{1}{4}$	$\frac{1}{2}$			5	$\frac{1}{2}$	$3\frac{1}{2}$	8	—	—	5	$\frac{1}{4}$	$\frac{1}{2}$
Monday	4	$\frac{1}{2}$		—	—	8	—	4	$\frac{1}{4}$	$\frac{1}{2}$			5	$\frac{1}{2}$	—	—	10	—	5	$\frac{1}{4}$	$\frac{1}{2}$
Tuesday	4	$\frac{1}{2}$		3	8	—	—	4	$\frac{1}{4}$	$\frac{1}{2}$			5	$\frac{1}{2}$	$3\frac{1}{2}$	8	—	—	5	$\frac{1}{4}$	$\frac{1}{2}$
Wednesday ..	4	$\frac{1}{2}$		—	—	—	8	4	$\frac{1}{4}$	$\frac{1}{2}$			5	$\frac{1}{2}$	—	—	—	10	5	$\frac{1}{4}$	$\frac{1}{2}$
Thursday ...	4	$\frac{1}{2}$		3	8	—	—	4	$\frac{1}{4}$	$\frac{1}{2}$			5	$\frac{1}{2}$	$3\frac{1}{2}$	8	—	—	5	$\frac{1}{4}$	$\frac{1}{2}$
Friday	4	$\frac{1}{2}$		—	—	8	—	4	$\frac{1}{4}$	$\frac{1}{2}$			5	$\frac{1}{2}$	—	—	10	—	5	$\frac{1}{4}$	$\frac{1}{2}$
Saturday ...	4	$\frac{1}{2}$		3	8	—	—	4	$\frac{1}{4}$	$\frac{1}{2}$			5	$\frac{1}{2}$	$3\frac{1}{2}$	8	—	—	5	$\frac{1}{4}$	$\frac{1}{2}$

Suet Pudding— $9\frac{1}{2}$ oz. Flour and $1\frac{1}{2}$ oz. Suet to a pound.

Rice Pudding— $5\frac{1}{2}$ oz. Rice to a pound.

Milk and Water—Half Milk.

WORKHOUSE DIETARIES—SPECIAL ORDER.

To the Guardians of the Poor of the Union, in the Count—
of ———;—

*To the Clerk or Clerks to the Justices of the Petty
Sessions held for the Division or Divisions in
which the said Union is situate;—*

And to all others whom it may concern.

WE, the Poor Law Board, do hereby Order and Direct, that the Paupers maintained in the Workhouse of the ——— Union, in the Count— of ———, shall be dieted with the food and in the manner described and set forth herein, viz.:—(*here follows the Table*).

And We do hereby empower the Guardians of the Poor of the said Union to allow to each infirm person resident in the said Workhouse a sufficient quantity of tea for breakfast [*and for supper*], not exceeding one pint per meal, sweetened with an allowance of sugar, not exceeding half an ounce to each pint of tea, together with an allowance of butter not exceeding ——— ounces per week, in lieu of the ——— for breakfast [*and ——— for supper*] prescribed by the above Table.

And We do hereby further Order and Direct, that children, under the age of nine years, resident in the said Workhouse, shall be fed, dieted, and maintained with such food and in such manner as the said Guardians shall direct; and that children of the age of nine years, and under the age of ——— years, shall be allowed the same quantities as are prescribed in the above Table for women.

And We do also Order and Direct, that the sick paupers, resident in the said Workhouse, shall be dieted in

such manner as the Medical Officer for the said Workhouse shall direct.

And We do hereby further Order and Direct, that the Master of the Workhouse shall cause two or more Copies of this our Order, legibly written, or printed in large type, to be hung up in the most public places of such Workhouse, and renewed from time to time, so that such Copies may be always kept fair and legible (a).

Provided, however, that if the said Guardians of the Poor shall, at any time or times, deem it expedient that a change should be made, either temporarily or permanently, in the nature or quantity of the food specified in this Order, or in the manner herein described, and shall send a complete and accurate statement of the proposed alteration, in writing, signed by the presiding Chairman of the meeting of the Board of the said Guardians whereat the resolutions for making the alteration was adopted, to the said Poor Law Board, and the said Poor Law Board shall sanction and approve of such alteration, the said Guardians may, when the same shall have been so sanctioned and approved of, but not before, cause the same to be adopted and used in the said Workhouse without any further Order of the said Poor Law Board in that behalf.

Provided also, that nothing herein contained shall be taken to rescind or alter any provision or regulation of the Poor Law Commissioners contained in their General Order, bearing date the twenty-fourth day of July, One thousand eight hundred and forty-seven, addressed to the Guardians of the Poor of the said Union.

Given under our Hand and Seal of Office, this ——— day of ———, in the year One thousand eight hundred and fifty—.

———, *President.*

———, *Secretary.*

(a) There is no Order which requires that the Dietary Tables for Children should be printed and exhibited in the Workhouse. The Guardians therefore may do as they think best in the matter; but it would seem expedient that the same publicity to the Dietaries of the Children should be given as is given to the Dietaries for the Adults.

Special Dietary Orders, in the above form, have, subsequently to the General Order of 16th February, 1848, been issued to certain Unions which had not previously had a Dietary Order issued to them.

The following are those Unions, with the dates of the Orders in each case :—

Auckland	5th August, 1853.
Bala	8th September, 1849.
Barnsley	20th July, 1853.
Barton-upon-Irwell	24th December, 1850.
Bedwellty	21st February, 1853.
Blackburn	21st February, 1853.
Bolton	11th December, 1852.
Cardigan	14th April, 1853.
Clitheroe	2nd April, 1852.
Congleton	24th July, 1855.
East Ward	10th February, 1853.
Glossop	24th October, 1853.
Haslingden	18th September, 1851.
Hemel Hempstead	25th May, 1853.
Houghton-le-Spring	20th October, 1853.
Kingston	16th December, 1852.
Kirkby Moorside	17th February, 1855.
Knaresborough	22nd February, 1853.
Leigh	10th February, 1854.
Llandilo-Fawr	22nd January, 1853.
London, City of	13th July, 1850.
London, West	27th July, 1849.
Merthyr Tydvil	30th November, 1853.
Newcastle-in-Emlyn	24th May, 1848.
Nottingham	20th November, 1854.
Penrith	16th July, 1855.
Pocklington	29th December, 1852.
Prestwich	11th April, 1851.
Pwllheli	5th August, 1853.
Reading	11th June, 1852.
Ripon	26th January, 1855.
Romsey	5th October, 1848.
Salford	7th January, 1853.
Samford	27th July, 1849.
Settle	7th July, 1849.

Wakefield	1st February, 1853.
Watford	20th July, 1850.
Wisbeach	29th December, 1852.
Wortley	21st March, 1850.

Dietary Orders have also been issued to the following Parishes and Corporations on the dates specified :—

Alston-with-Garrigill	27th May, 1842.
Alverstone	18th August, 1850.
Barwick-in-Elmet	29th August, 1848.
Bermondsey	26th May, 1837.
Bethnal Green	7th June, 1837.
Birmingham	8th April, 1853.
Bristol	30th November, 1857.
Bury St. Edmund's	8th July, 1841.
Camberwell	10th February, 1847.
Canterbury	21st October, 1851.
Chelsea	10th August, 1843.
Chester	3rd April, 1852.
East Stonehouse	22nd March, 1850.
Farnborough	14th July, 1853.
Flegg, East and West	4th December, 1843.
Forehoe	27th July, 1849.
Hampstead	30th May, 1851.
Headley	10th January, 1854.
Kensington	25th June, 1845.
Lambeth	17th February, 1854.
Manchester	8th April, 1851.
Montgomery and Poole	15th November, 1846.
Mutford and Lottingland	11th November, 1848.
Newington, St. Mary	17th January, 1855.
Norwich	18th June, 1849.
Oswestry	13th May, 1853.
Oxford	7th June, 1850.
Paddington	2nd May, 1848.
Plymouth	14th February, 1854.
Rotherhithe	10th March, 1854.
St. George-in-the-East	7th January, 1837.
St. George the Martyr, Southwark	5th April, 1853.
St. Martin-in-the-Fields	29th November, 1850.
Salisbury	12th April, 1847.

Shrewsbury	20th January, 1853.
Southampton	10th April, 1850.
Stoke-upon-Trent	20th November, 1854.
Tunstead and Happing	14th February, 1843.
Whittlesea	25th January, 1845.
Yarmouth	23rd June, 1848.

It has been already observed, that the Poor Law Board have not fixed any Dietary Table to be observed in the dieting of paupers in Workhouses generally. The Dietary of each Workhouse is varied according to local circumstances and local habits, and very few are precisely alike either in quantities or ingredients.

FORM OF GUARDIANS' ORDER UPON TREASURER (a).

To the Guardians of the Poor of the several Unions, Parishes, and Townships named in the Schedules hereunto annexed ;—

To the Treasurer of the said several Unions, Parishes, and Townships ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions, Parishes, and Townships are respectively situate ;—

And to all others whom it may concern.

WHEREAS, by a General Order of the Poor Law Commissioners bearing date the Twenty-fourth day of July One thousand eight hundred and forty-seven, addressed

(a) The Poor Law Board having observed with much regret the frauds which have been lately committed by the Officers of some Unions upon Boards of Guardians, and considering that the Form of Order for payment of money commonly used by the Guardians offers undue facility for the commission of such frauds, deemed it right to issue this General Order. The Board have now required that in all cases the Order shall be made payable to the person in whose favour it is drawn, or *to his order*. Thus, the creditor of the Guardians must obtain the Order, and the payment can only be made to him, or to some person through his indorsement, unless his name be forged upon it. The Board believe that, if Art. 51 of the General Consolidated Order were in all cases duly and punctually observed, the affairs of the Guardians would be conducted in many Unions with greater regularity than is now the case, and there would be greater security for their creditors, and less risk of improper dealing with their Cheques and Orders for payment.—*Instr. Letter*, 7th April, 1857.

to the Guardians of the Poor of the several Unions named in the First Schedule hereunto annexed, and by divers other Orders, the dates whereof are respectively set forth in the Second Schedule hereunto annexed, addressed to the Guardians of the Poor of the several Unions, Parishes and Townships therein named; and by a General Order bearing date the Eighth day of December One thousand eight hundred and forty-seven, addressed to the Guardians of the Poor of the several Parishes and Townships named in the Third Schedule hereunto annexed, certain Regulations were made with reference to the proceedings and duties of such Guardians.

And whereas, among other matters, it is provided therein that the Guardians shall pay every sum greater than Five Pounds by an Order, which shall be drawn upon their Treasurer, and shall be signed by the presiding Chairman and two other Guardians at a meeting, and shall be countersigned by the Clerk.

And whereas it is expedient to prescribe a form in which all Orders shall in future be drawn by the said Guardians upon their Treasurers as hereinafter mentioned.

Art. 1.—Now, therefore, We, the Poor Law Board, in pursuance of the powers given in and by the Statutes in that behalf made and provided, do hereby, with respect to the several Unions, Parishes, and Townships in the said Schedules mentioned, Order and Direct that every Order which shall be drawn by the said Guardians of the several Unions, Parishes, and Townships for a sum greater than Five Pounds, upon their respective Treasurers shall, from and after the Twenty-fourth day of June next, be in the following form, that is to say (b) :—

(b) The order must be paid by the Treasurer to the payee or his order only; under no circumstances should an indorsement by procuration be permitted, as that would tend to defeat the object of the order. Moreover, it should be borne in mind that if the prescribed form be departed from in drawing the order the exemption from stamp duty will be lost. The order does not apply to orders for the payment of sums under five pounds; and therefore, if such an order be drawn it will not be exempt from stamp duty.

— (Date.)

— (Place of Meeting.)

To *A. B.*, Treasurer of the Guardians of the Poor of the
 — Union [Parish or Township], in the Count —
 of —, at —.

Pay to *C. D.*, or Order, the sum of — Pounds —
 Shillings and — Pence, and charge the same to the Ac-
 count of the said Guardians.

(Signed,)

—, *Presiding Chairman.*

— } *Guardians of the Poor*
 — } *of the said Union*
 — } [*Parish or Township*].

Countersigned by —,

Clerk to the said Guardians.

N.B.—The Guardians request that this Order may be pre-
 sented for payment within fourteen days from the date hereof,
 to the Treasurer at his house or usual place of business, and
 within the usual hours of business.

Art. 2.—And We do hereby Order the Treasurer of the
 said Guardians to pay out of the moneys for the
 time being in his hands belonging to them all Orders
 for money which shall be drawn upon him in the
 above form, when the same shall be presented at his
 house or usual place of business, and within the usual
 hours of business.

FIRST SCHEDULE.

(The Unions are those which are contained in the Sche-
 dule to the General Consolidated Order dated the 24th
 July, 1847.)

SECOND SCHEDULE.

Names of Unions, Parishes, and Townships not included in the General Orders.	Dates of Orders issued subsequently to the General Orders.
Barnsley	12th June, 1850.
Barton-upon-Irwell	24th January, 1850.
Bedwellty	19th March, 1849.
Great Ouseburn	4th August, 1854.
Hampstead, St. John	24th May, 1848.
Hawarden	25th February, 1853.
Hemsworth	29th October, 1850.
Holyhead	15th February, 1853.
Kirkby Moorside	9th February, 1850.
Knaresborough	28th June, 1854.
Manchester	31st May, 1850.
North Bierley	14th February, 1849.
Oldham	22nd November, 1847.
Penistone	2nd February, 1850.
Prestwich	2nd August, 1850.
Ripon	8th February, 1853.
Saddleworth	18th July, 1853.
Samford	16th March, 1849.
Whitchurch (Salop)	19th February, 1853.

THIRD SCHEDULE.

Names of Parishes and Townships referred to in the annexed Order included in the General Order dated the 8th December, 1847 :—

Alston-with-Garrigill.	St. Mary, Lambeth.
East Stonehouse.	St. Mary, Magdalen, Bermondsey.
Leeds.	St. Mary, Rotherhithe.
St. George-in-the-East.	St. Matthew, Bethnal Green.
St. George-the-Martyr, Southwark.	Paddington.
St. Giles, Camberwell.	Stoke-upon-Trent.
St. Luke, Chelsea.	Whittlesea, St. Mary and St. Andrew.
St. Martin-in-the-Fields.	Great Yarmouth.
St. Mary Abbots, Kensington.	

Given under our Hands and Seal of Office, this Seventh day of April, in the year One thousand eight hundred and fifty-seven.



E. P. BOUVERIE, *President.*

G. GREY.

G. C. LEWIS.

R. W. GREY, *Secretary.*

* * A separate General Order was issued on the same date to the incorporated Hundreds of East and West Flegg, Forehoe, and Tunstead and Happing in the county of Norfolk, and the Mutford and Lothingland Incorporation in the county of Suffolk, and to Plymouth on 13th June, 1857.

Consolidated Orders subsequently issued are in accordance with the above Order.

MEDICAL APPOINTMENTS ORDER,

No. 1 (a).

To the Guardians of the Poor of the several Unions named in the Schedules hereunto annexed ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions are respectively situate ;—

And to all others whom it may concern.

WHEREAS, by a General Order of the Poor Law Commissioners, bearing date the twenty-fourth day of July, One thousand eight hundred and forty-seven, and addressed to the Guardians of the Poor of the several Unions named in the First Schedule hereunto annexed, and by divers other Orders, the dates whereof are respectively set forth in the second Schedule hereunto annexed, addressed to the Guardians of the Poor of the several Unions therein named, certain regulations were made with reference to

(a) The reasons for the issuing of this Order are stated as follows in the Circular of the Poor Law Board, dated 15th February, 1855, which accompanied the Order :—

“The Poor Law Board remind the Guardians that in the last Session of Parliament a Select Committee was appointed by the House of Commons, ‘to inquire into the mode in which Medical Relief is now administered in the different Unions in England and Wales.’ The Committee, after a careful investigation, adopted by a very large majority the following Resolution, which they subsequently reported to the House :—

‘Your Committee recommend that every Medical Officer to be appointed after the 25th March, 1855, should continue in Office until he may die, resign, or become legally disqualified to hold such Office, or be removed therefrom by the Poor Law Board.’

“With a view of giving effect to this Resolution, the Poor Law Board have thought it their duty to issue the accompanying Order. The Guardians will see that it has the effect of placing the Union Medical Officer, with regard to the tenure of his office,

the disqualification of Medical Officers, and their tenure of office.

And whereas, among other Regulations in the said General Order, and in the said other Orders, it is provided that every Medical Officer duly appointed shall, unless the period for which he is appointed be entered on the Minutes of the Guardians at the time of making such appointment, or be acknowledged in writing by such Medical Officer, continue in office until he may die or resign, or become legally disqualified to hold such office, or be removed therefrom by the Poor Law Commissioners.

And whereas it is expedient that the said Regulation should be rescinded in respect of Medical Officers to be appointed after the twenty-fifth day of March next.

Now therefore, We, the Poor Law Board, in pursuance of the powers given in and by the statutes in that behalf, made and provided, do hereby, with respect to the several Unions in the said Schedules mentioned, and with respect to every Medical Officer to be appointed therein, after the twenty-fifth day of March next, rescind so much of the said General Order, and of the said other Orders as contains the provision above recited.

And We do further Order and Direct, with respect to every appointment of a Medical Officer to be made, after the said twenty-fifth day of March next, in any of the said Unions in the said Schedules mentioned, as follows:—

Art. 1.—Every Medical Officer of a Workhouse duly qualified according to the Regulations of the Poor Law Board in force at the time of such appointment, and every District Medical Officer duly qualified as foresaid, and residing within the District in which he

upon exactly the same footing as that upon which every other Union Officer is already placed; an arrangement so natural in itself, that it has for some years past been adopted voluntarily in more than half the Unions throughout the country, not only without practical inconvenience, but, as the Board believe, with real advantage to the administration of the Poor Law in those Unions. The Board express their confident hope that in the Unions where a different arrangement has hitherto prevailed, the effect of the new Order will be found equally satisfactory."

is appointed to act, shall hold his office until he shall die, or resign, or be proved to be insane by evidence which the Poor Law Board shall deem sufficient, or become legally disqualified to hold such office, or be removed by the Poor Law Board.

Art. 2.—Provided always, that, if it be impracticable, consistently with the proper attendance on the sick poor, for the Guardians to procure a person so duly qualified and residing within the district in which he is to act, or if the only person or persons resident within such district, and so duly qualified, shall be deemed by the Guardians to be unfit or incompetent to hold the office of Medical Officer, then and in such case the Guardians shall cause a special Minute to be made and entered on the usual record of their proceedings, stating the reasons which in their opinion make it necessary to employ a person not so duly qualified or not so residing within the District in which he is to act, and shall forthwith transmit a copy of such Minute to the Poor Law Board for their consideration, and the Poor Law Board may, for such time as they may approve, consent to the employment by such Guardians of any person duly licensed to practise as a medical man, although such person be not so duly qualified or not so residing in the District in which he is to act as such Medical Officer.

Art. 3.—Provided also that nothing herein contained shall prevent the Guardians in any cases of emergency, or under any special circumstances, from appointing one or more Medical Officers to act temporarily for such time and upon such terms as the Poor Law Board shall approve.

FIRST SCHEDULE.

Names of Unions referred to in the annexed Order included in the General Consolidated Order.

(The Unions in this Schedule are those contained in the Schedule to the General Consolidated Order of the 24th July, 1847.)

SECOND SCHEDULE.

Names of Unions not included in the General Consolidated Order, dated the 24th July, 1847.	Dates of Orders issued subsequently to the General Consolidated Order.
Barnsley	12th June, 1850.
Barton-upon-Irwell . . .	24th January, 1850.
Bedwellty	19th March, 1849.
Great Ouseburn	4th August, 1854.
Hawarden	25th February, 1853.
Hemsworth	29th October, 1850.
Holyhead	15th February, 1853.
Kirkby Moorside	9th February, 1850.
Knaresborough	28th June, 1854.
North Bierley	14th February, 1849.
Oldham	22nd November, 1847.
Penistone	2nd February, 1850.
Prestwich	2nd August, 1850.
Ripon	8th February, 1853.
Samford	16th March, 1849.
Whitechurch (Salop) . . .	19th February, 1853.

Given under our Hands and Seal of Office, this Fifteenth day of February, in the year One thousand eight hundred and fifty-five.



L. S.

M. T. BAINES, *President.*

G. GREY.

W. E. GLADSTONE.

COURTENAY, *Secretary.*

A General Order similar to the above Order was issued on the 23rd February, 1855, to the East and West Flegg, Forehoe, Tunstead and Happing, and Mutford and Lothingland Incorporations.

* * * The provisions of this Order have been rescinded by a subsequent General Order, dated 25th May, 1857 (*post*), except so far as they rescinded any part of former Orders, and except so far as they apply to Officers appointed prior to the 24th June, 1857.

MEDICAL APPOINTMENTS ORDER,

No. 2 (a).

To the Guardians of the Poor of the several Unions and Incorporations named in the Schedules hereunto annexed;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions and Incorporations are respectively situate;—

And to all others whom it may concern.

WHEREAS by two Orders bearing date the fifteenth and the twenty-third days of February One thousand eight hundred and fifty-five respectively, addressed to the Guardians of the Poor of the several Unions set forth in the First Schedule hereunto annexed, and to the Guardians of the Poor of the several Incorporated Hundreds set forth in the Second Schedule hereunto annexed, the Poor Law

(a) As it was found in practice that the Orders of 15th and 23rd February, 1855, did not give full effect to the recommendation of the Select Committee of the House of Commons on the subject of medical relief, the Poor Law Board felt it incumbent upon them to issue the present Order in their place, for the purpose as well of carrying out the views of the Committee as regards permanency of tenure more completely and satisfactorily, as of making provision in certain other respects for cases with regard to which experience showed that difficulties might arise, The present Order came into operation on the 24th June, 1857, but the former Order continues in force in regard to all Officers who were appointed prior to that day. It will be seen that this Order applies to the Medical Officer of the Workhouse, and to the District Medical Officer separately.—*Instr. Letter*, 6th June, 1857.

Board did reseind parts of eertain General Orders previously issued, and did make eertain Provisions regarding the period for which the Medical Officers of such Unions and Incorperations should hold their offee; and it is expedient that suelh provisions should be altered.

Now therefore, We, the Poor Law Board, in pursuancee of the powers given in and by the Statutes in that behalf made and provided, do hereby, from the twenty-fourth day of June next, reseind the said General Orders of the fifteenth and twenty-third days of February One thousand eight hundred and fifty-five, execept so far as they reseinded any part of former Orders, and execept so far as they apply to Offieers appointed prior to the said twenty-fourth day of June next.

And We do hereby Order, with respect to every appointment of a Medical Officer in the said several Unions and Incorperations after the said twenty-fourth day of June next, as follows:—

Art. 1.—Every Medical Officer of a Workhouse duly qualified at the time of his appointment aecording to the regulations of the Poor Law Board then in foree, shall hold his offee until he shall die, or resign, or be proved to be insane by evidenee which the Poor Law Board shall deem sufficient, or become legally disqualified to hold suelh offee, or be removed by the Poor Law Board (*b*).

Art. 2.—Every Distriet Medical Offieer duly qualified as aforesaid at the time of his appointment, and then being, or within two months after his appointment becoming, resident within the Distriet for which he shall be appointed to aet, shall hold his offee until he shall die, or resign, or be proved to be insane in the same manner as in the previous Artiele, or become legally disqualified to hold suelh offee, or be removed by

(*b*) Every Medical Officer of the Workhouse, duly qualified when appointed, is to hold his office during his life, or until he resign, or become insane, or legally disqualified to hold it, or be removed by the Poor Law Board.—*Instr. Letter*, 6th June, 1857.

the said Board, or cease to reside within such District (c).

Art. 3.—If a Medical Officer not fully qualified or not resident within his District at the time of his appointment, or within two months thereof, shall afterwards complete his qualification or become resident within such District, as the case may be, the Guardians may, upon such completion of his qualification or becoming resident respectively, after giving such notice as would be necessary in respect of an appointment in case the office were vacant, pass a resolution empowering such Medical Officer to hold his office for the time specified in Article 2, and if they transmit a copy of such resolution to the Poor Law Board, and if that Board consent, such Officer, being so duly qualified and resident, shall be entitled thenceforth to hold such office accordingly.

(c) This Article applies to the District Medical Officer, who, being duly qualified at the time of his appointment, is either then resident within his district, or becomes so within two months afterwards. Such Officer will continue to hold his office for the same period as the Workhouse Medical Officer, unless he ceases to reside within his district, when his office will determine. It would be very satisfactory to the Board if Boards of Guardians were always able to secure the services of duly qualified Medical Officers resident within their districts. This, however, is not uniformly the case, and Guardians are occasionally under the necessity of appointing as Medical Officers professional persons not duly qualified or non-resident. In assenting under such circumstances to such appointments, the Board have deemed it undesirable to confer upon such officers a permanent tenure of office. They are of opinion that the most convenient course is to treat such instances as exceptional, and they have accordingly by Art. 4 required every Board of Guardians which may be under the necessity of making any such appointment to report to them all the circumstances which render it necessary; and they have reserved to themselves the power of determining the period for which the Officer in this exceptional case shall hold his office. The Board of Guardians are further required to cause a special entry to be placed upon their minutes to show the grounds of their appointment in such case. The Poor Law Board have been required upon several occasions to consider whether Medical Officers who were not fully qualified, or who were non-resident in their districts at the time of their election, might not, by subsequently acquiring the qualification which

Art. 4.—If the Guardians shall elect a District Medical Officer, whether duly qualified as aforesaid or otherwise, not residing within his District at the time of his appointment, and not becoming resident therein within two months after it, or shall elect as such Medical Officer a person not duly qualified as aforesaid but licensed to practise medicine, and residing within his District at such time, the Guardians shall employ as a District Medical Officer such person not residing within his District, or such person not duly qualified as aforesaid (as the case may be), for such time only as the Poor Law Board shall approve of or direct; and when the Guardians shall make any such election as in this Article specified, they shall cause a special Minute to be made and entered on the usual record of their proceedings, stating the reasons which in their opinion make it necessary to employ such person not residing within the District in which he is to act, or not duly qualified as aforesaid, and forthwith transmit a copy of such Minute to the said Board for their consideration.

Art. 5.—Where a change in the extent of the District of a Medical Officer shall be deemed necessary for the more convenient supply of Medical Relief to the Poor,

was formerly deficient, or by becoming resident, obtain permanency of tenure under the terms of the General Orders of the 15th and 23rd of February, 1855. The Board have reason to think that by the strict legal interpretation of these Orders this result would follow; but as this was not intended by them when framing the Orders referred to, and as doubts might arise respecting it, the Board have deemed it right to provide for such cases, and have accordingly, by Art. 3 of the present Order empowered Boards of Guardians by a resolution to confer upon a Medical Officer, who shall have completed his qualification or become resident within his district, a right to hold his office permanently without a fresh election. Due notice must, however, be given before the passing of such a resolution, and it will be of no avail unless this Board give their consent to it. The Board trust that this provision will be acceptable to the Medical Profession, and in many cases save the Guardians from the necessity of an election, when they have reason to be perfectly satisfied with the efficiency of the Officer actually discharging the duties of his office.—*Instr. Letter*, 6th June, 1857.

or otherwise for the general benefit of the Union or Incorporation, and he shall decline to acquiesce therein, the Guardians may, with the consent of the Poor Law Board, but not otherwise, and after six months' notice in writing, signed by their Clerk, given to such Medical Officer, determine his office (*d*).

Art. 6.—Provided, that nothing herein contained shall prevent the Guardians in any case of emergency, or under any special circumstances, from appointing one or more Medical Officers to act temporarily for such time and upon such terms as the Poor Law Board shall approve (*e*).

Art. 7 (*f*).—When any Medical Officer shall cease to hold his office under any of the provisions herein contained,

(*d*) Article 5 provides for cases in which the medical arrangements of the Union are not satisfactory, from the fact that some districts are too extensive for the proper attention to the poor, or too small to secure adequate remuneration to the Medical Officer. In such cases changes in these districts, however necessary, cannot be effected if the Medical Officers being permanently appointed to their districts decline, as they would have a legal right to do, to assent to any change; therefore it has appeared to the Board advisable to guard against inconvenient results which might sometimes arise from the permanency of tenure as conferred by this Order upon Medical Officers. It is accordingly provided, that when the Guardians consider that a change in the extent of any district is necessary for the more convenient supply of medical relief to the poor, or otherwise for the general benefit of the Union, and the Medical Officer declines to acquiesce therein, the Guardians may, with the consent of this Board, determine the office of the Medical Officer. In order, however, that this change may not take place abruptly, or without due warning, a six months' notice in writing is to be given by the Guardians to the Officer.—*Instr. Letter*, 6th June, 1857.

(*e*) Art. 6 contains a saving similar to that which was in Art. 3 of the former Orders, and is intended to meet the cases of temporary appointments of Medical Officers in cases of emergency.—*Ib*.

(*f*) Art. 7, requiring the Guardians to fill up vacancies, corresponds with Art. 195 of the General Consolidated Order, and Art. 8, enabling the Guardians to appoint the successor to the Officer whose office is determined by them under the above provision before the termination of his office, corresponds with Art. 197 of the same Order.—*Ib*.

the Guardians shall proceed to make a new appointment to the office rendered vacant, in the manner prescribed by the Regulations of the Poor Law Commissioners or Poor Law Board in force at the time, unless by reason of any change in the extent of the District such office as previously constituted shall become unnecessary.

Art. 8.—If the Guardians shall have given notice to determine the continuance in office of any Medical Officer under this Order, and the Poor Law Board shall have consented thereto, the Guardians may appoint a successor to such Officer at any time subsequent to their receiving such consent; provided that nothing herein contained shall prevent such Officer from being re-appointed if otherwise eligible.

FIRST SCHEDULE.

Contains the names of the Unions mentioned in the Schedule to the General Consolidated Order of the 24th July, 1847 (*ante*, page 186), and also the following Unions:—

Barnsley.	Knarborough.
Barton-upon-Irwell.	North Bierley.
Bedwellty.	Oldham.
Great Ouseburn.	Penistone.
Hawarden.	Prestwich.
Hemsworth.	Ripon.
Holyhead.	Samford.
Kirkby Moorside.	

SECOND SCHEDULE.

Names of Incorporations referred to in the annexed Order.

The Incorporated Hundreds of	
East and West Flegg . . .	} in the county of Norfolk.
Forehoe	
and	
Tunstead and Happing . . .	

And the Incorporated Hundred of
Mutford and Lothingland, in the county of Suffolk.

Given under our Hands and Seal of Office, this Twenty-
fifth day of May, in the year One thousand eight
hundred and fifty-seven.



(Signed) E. P. BOUVERIE, *President.*

G. GREY.

G. C. LEWIS.

COURTENAY, *Secretary.*

OUT-DOOR RELIEF PROHIBITORY ORDER (a).

To the Guardians of the Poor of the several Unions named in the Schedule hereunto annexed ;—

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said respective Unions ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes and Places comprised within the said respective Unions are situate ;—

And to all others whom it may concern.

WE, the Poor Law Commissioners, in pursuance of the authorities vested in Us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales,*" do hereby rescind an Order, being a General Rule of the Poor Law Commissioners, bearing date the Second day of August, in the year of our Lord

(a) The Committee of the House of Commons, which reported on the operation of the Poor Law Amendment Act in 1838, recommended in general that the Regulations of the Commissioners should be promulgated as widely as possible. It is most desirable that the persons to whom relief is either granted or refused should be satisfied that the grant or refusal is determined by fixed rules, and not by partial or temporary considerations, and for this reason it is expedient that copies of the Prohibitory Order should be hung up in a conspicuous part of the Workhouse, and of the room in which the Guardians usually assemble.—*Instr. Letter*, Dec. 1839.

One thousand eight hundred and forty-one, except so far as the same reseinds any Order or Orders theretofore issued by the Poor Law Commissioners.

And We do hereby also reseind the Orders relative to the relief of able-bodied poor persous, issued by the Poor Law Commissioners to the several Unions hereunder mentioned, except so far as the same reseind any Order or Orders theretofore issued by the said Commissioners, or relate to the Out-door Labour Test for able-bodied Male Paupers ; that is to say :—

The Order bearing date the Ninth day of December One thousand eight hundred and forty-one, and issued to the Guardians of the Poor of the Burgh of Bury Saint Edmunds ;

The Order bearing date the Tenth day of January One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Aberystwith Union ;

The Order bearing date the Fifteenth day of April One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Ruthin Union ;

The Order bearing date the Thirtieth day of April One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Llanfyllin Union ;

The General Order bearing date the Thirtieth day of July One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Longtown Union, the Guardians of the Poor of the Whitehaven Union, and the Guardians of the Poor of the Wigton Union ;

The Order bearing date the Fifth day of August One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Cockermouth Union ;

The Order bearing date the Ninth day of September One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Riehmund Union, in the County of York ;

The Order bearing date the Thirtieth day of November One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Ormskirk Union ;

The Order bearing date the Seventeenth day of December One thousand eight hundred and forty-two, and issued to the Guardians of the Poor of the Hailsham Union ;

The Order bearing date the Twenty-first day of January One thousand eight hundred and forty-three, and issued to the Guardians of the Poor of the Chard Union ;

And the General Order bearing date the Twenty-seventh day of June One thousand eight hundred and forty-three, and issued to the Guardians of the Poor of the Saint Asaph Union; the Guardians of the Poor of the Bala Union ; the Guardians of the Poor of the Bridgend and Cowbridge Union ; the Guardians of the Poor of the Corwen Union ; the Guardians of the Poor of the Festiniog Union ; and the Guardians of the Poor of the Pwllheli Union :

Provided that nothing herein contained shall apply to any relief given under or prohibited by any of the said Orders hereby rescinded.

And We do hereby Order, Direct, and Declare, with respect to each and every of the Unions named in the Schedule hereunto annexed, as follows :—

Art. 1.—Every able-bodied person, male or female, requiring relief from any Parish within any of the said Unions, shall be relieved wholly in the Workhouse of the Union, together with such of the family of every such able-bodied person as may be resident with him or her, and may not be in employment, and together with the wife of every such able-bodied male person, if he be a married man, and if she be resident with him ; save and except in the following cases (b) :—

(b) In consequence of the provisions contained in the statute 7 & 8 Viet. c. 101, relative to the relief of able-bodied women under certain circumstances, and non-resident poor, the Commissioners deemed it advisable to make some alterations in their General Order of the 2nd of August, 1841, usually known as their General Prohibitory Order; and as the most convenient course, they rescinded that Order, and also several Orders containing the same provisions, which had been issued to individual

Art. 1.—1st (exception).—Where such person shall require relief on account of sudden and urgent necessity (*c*).

2nd.—Where such person shall require relief on account of any sickness, accident, or bodily or mental infirmity affecting such person, or any of his or her family (*d*).

Unions since its date, and issued the former Order again, with the slight modifications which appeared to them to have been rendered necessary.

The only remark on the Prohibitory Clause which the Commissioners make is, that the Guardians under it are not bound to require any child of an able-bodied person who can support itself to accompany its parent into the Workhouse, if it appear expedient that such child should continue in employment.—*Instr. Letter*, 21st December, 1844.

All persons under sixteen years of age are not to be regarded as able-bodied, thus—

Girls of fourteen and fifteen years of age who are able to maintain themselves by their own labour are able-bodied.

So also a lad of fifteen years of age able to maintain himself by his own labour. But an orphan girl of twelve years of age cannot be considered as an able-bodied person. If the father be alive and the child be under sixteen years of age no question arises, as the relief is given to him and not to the child. If a child be out at service it is not necessarily an able-bodied person within the meaning of Article 1. In deciding the question whether a child can or cannot be relieved out of the Workhouse without the sanction of the Poor Law Board, regard must be had to the age of the child, and not merely to the fact that it is able to take a place of service suited to its years and its strength.

(*c*) By “sudden and urgent necessity” (which words are used in section 54 of the 4 & 5 Wm. IV. c. 76), the Commissioners understand any case of destitution requiring instant relief. It is to be remarked further, that this exception does not authorize *permanent* out-door relief in any case. A case originally of sudden and urgent necessity, which subsequently requires continued relief, loses its character of suddenness and urgency. The relief subsequently required will be either ordinary relief, and therefore to be given in the Workhouse, or it may be extraordinary, and given, for example, under the second exception to Art. 1.—*Instr. Letter*. However, no general rule can be laid down for the interpretation of those words, further than that the circumstances contemplated must be of an exceptional character.

(*d*) The second exception provides for the case of any able-

Art. 1.—3rd (exemption).—Where such person shall require relief for the purpose of defraying the expenses, either wholly or in part, of the burial of any of his or her family (*e*).

4th.—Where such person, being a widow, shall be in the first six months of her widowhood (*f*).

5th.—Where such person shall be a widow, and have a legitimate child or legitimate children dependent upon her, and incapable of earning his, her, or their livelihood, and have no illegitimate child born after the commencement of her widowhood (*g*).

bodied man who is himself insane or temporarily sick, or who has met with an accident, or any of whose family require to be relieved on the ground of insanity, infirmity, accident, or sickness.—*Instr. Letter*. The Guardians should bear in mind that when they resolve to give relief in consequence of the sickness of any member of the family of an able-bodied man, the amount of loss sustained, or additional expense incurred in consequence of such sickness, is, under ordinary circumstances, the proper standard by which to regulate the amount of the exceptional relief to be given. The case of a woman who is actually confined in childbirth will be a case of sickness coming within this exception, until she is recovered from her confinement, and is able to resume her usual occupation; but mere pregnancy is not, if it be not accompanied by sickness.

(*e*) Under this exception relief may be given to able-bodied persons for the funerals of any members of their families, without requiring them to come into the Workhouse.—*Instr. Letter*.

(*f*) The exception of widows during the first six months of their widowhood is adopted with a view of enabling persons thus situated to have an adequate interval for the purpose of making such arrangements for their support as their altered condition may require.—*Instr. Letter*. If an able-bodied widow have no child or children dependent upon her for support, out-door relief cannot be granted to her beyond the six months named in this Article, without the previous consent of the Poor Law Board, obtained under Art. 6. Page 258, *post*.

(*g*) The exception of widows with children, so far as it relates to able-bodied women in employment, is one respecting which the Guardians ought to exercise great circumspection in applying it in practice. The Guardians, when administering relief under it, ought to take into account, that when small weekly allowances in aid of wages are made, they too commonly serve to excuse relations from the payment of contributions to a larger amount;

Art. 1.—6th (exception).—Where such person shall be confined in any gaol or place of safe custody, subject always to the regulation contained in Article 4 (*h*).

and that the out-door allowances, when given indiscriminately in widowhood, tend to put an end to provident habits, in respect of insurances in sick clubs or otherwise. It should, moreover, be borne in mind, that allowances made by the parish to able-bodied widows in employment do not always confer the advantages intended, inasmuch as their wages, as in the case of able-bodied men, are commonly reduced in consideration of the allowance from the parish; and that such reduction of the wages, combined with the excuse furnished to relations or friends for withholding their contributions, together with the pauper habits thus engendered, often renders such allowances to widows in aid of wages an injury rather than a benefit to them; whilst in some districts this class of able-bodied widows may be so numerous that their labour, thus depreciated at the expense of the ratepayers, may be substituted for the more highly paid labour of independent labourers. The Commissioners trust, that the Guardians will seldom find that the ordinary rate of earnings of able-bodied women is so low as not to enable them to support one child at the least; and that the Guardians will not adopt any such general rule as that of relieving all widows with one, or with any fixed number of children, but will make a careful inquiry into every case thus to be relieved.—*Instr. Letter*. It only seems necessary to observe further in reference to this exception, that if a woman after her widowhood have an illegitimate child, her case will no longer be within the exception; but if the illegitimate child should afterwards die, her case will again fall within the exception, and the Guardians will be at liberty to give her out-door relief if they think fit so to do. And further, that if a woman have illegitimate children before her marriage, and afterwards becomes a widow and have no legitimate children dependent upon her, her case will not be within exception 5 to Article 1; but if she have legitimate children dependent upon her, her case, notwithstanding her having an illegitimate child born before marriage, will fall within the exception. But note the omission of the words “dependent upon her” in the last part of the exception. If a widow have an illegitimate child not dependent upon her and legitimate children who are dependent upon her, her case will not come within the exception, so long as the illegitimate child lives.

(*h*) It sometimes becomes necessary that the Guardians should be empowered to give relief to the wife and children in cases where the husband cannot be required to enter the Workhouse on account of his being in a place of legal confinement.—*Instr.*

Art. 1.—7th (exception).—Where such person shall be the wife, or child, of any able-bodied man who shall be in the service of her Majesty as a soldier, sailor, or marine (*i*).

8th.—Where any able-bodied person, not being a soldier, sailor, or marine, shall not reside within the Union, but the wife, child, or children of such person, shall reside within the same, the Board of Guardians of the Union, according to their discretion, may, subject to the regulation contained in Article 4, afford relief in the Workhouse to such wife, child, or children, or may allow out-door relief for any such child or children being within the age of nurture, and resident with the mother within the Union (*j*).

Letter. It may be added here, that it sometimes happens that a person in the custody of the law prior to committal for trial is in destitute circumstances and in need of relief. If in such a case application be made on his behalf to the Guardians or to the Relieving Officer, it is considered that the Guardians or that Officer should provide the prisoner with such relief in kind as may be absolutely necessary.

(*i*) The state of the law in reference to married women, explained in the note to the eighth exception, and the peculiar rights and obligations of soldiers, sailors, and marines, render it desirable to give great latitude to the proceedings of the Board of Guardians in respect of the families of persons in these departments of the Queen's service. The seventh exception, therefore, allows of relief of any kind being given to the wife or children of a soldier, sailor, or marine, whether in or out of the workhouse, without requiring the husband to come into the Workhouse.—

Instr. Letter. Reference may here be made to the 19 Vict. c. 15, ss. 8, 9, regulating the repayment to Boards of Guardians of the cost of relief given to Chelsea or Greenwich pensioners, and also of the cost of the maintenance of such as shall become insane.

(*j*) The eighth exception provides for the case of a wife whose husband is absent from her, either by desertion or otherwise, and is necessary in consequence of the state of the law applicable to women thus situated. It has been held that in such cases relief to the children was not relief to the wife; consequently, the wife could not be compelled to come with her children into the Workhouse, although a new provision has been made by the statute 7 Vict. c. 101, s. 25, to be noticed at full hereafter, in re-

Art. 2.—In every case in which out-door relief shall be given on account of sickness, accident, or infirmity to any able-bodied male person resident within any of the said Unions, or to any member of the family of any able-bodied male person, an extract from the Medical Officer's Weekly Report (if any such Officer shall have attended the case), stating the nature of such sickness, accident, or infirmity, shall be specially entered in the Minutes of the Proceedings of the Board of Guardians of the day on which the relief is ordered or subsequently allowed.

But if the Board of Guardians shall think fit, a certificate under the hand of a Medical Officer of the Union, or of the Medical Practitioner in attendance on the party, shall be laid before the Board, stating the nature of such

spect of certain women separated from their husbands. If, however, under any circumstances she require relief for herself, the Guardians may require her to receive it in the Workhouse; and if she require relief for her children, the Guardians may require such of them as are above the age of nurture to receive it in the Workhouse, whether she do or do not come into the Workhouse. As regards, however, children under the age of nurture (to be within the age of nurture a child must be within seven years of age) who may be living with the mother, the Guardians cannot remove them from her; so that if she require relief for them and them only, the Guardians must, except in the cases hereafter provided for, give out-relief, if relief be necessary.—*Instr. Letter.* It is a well recognized rule with regard to the maintenance of the poor, that while a child is under seven years of age, it shall not be separated from the mother for the purpose of being maintained by the parish in which it is settled; see the observations of Lord Campbell, C.J., on this point, in *Re Alice Race*, 3 Jur. (N. S.), Q.B. 336; and *Reg. v. Clarke*, 7 E. & B. 186; under seven, he said, is called the age of nurture; which is the peculiar nurture required by a child from its mother, which is entirely different from guardianship for nurture which belongs to the father in his lifetime, even from the birth of the child. With regard to relieving a child under the age of nurture, apart from its mother, and the liability of such child to be removed to the place of its settlement, reference may be made to *Reg. v. Combs*, 5 E. & B. 892; 25 L. J. R. (N. S.) M. C. 59, 2 Jur. (N. S.) 255. With reference to the relief of deserted wives and children, see the Circular of the Poor Law Commissioners, App. (A.), No. 6, p. 83, Fifth Annual Report of Poor Law Commissioners.

sickness, accident, or infirmity, and a copy of the same shall be in like manner entered in the Minutes (*k*).

Art. 3.—No relief shall be given from the poor-rates of any parish comprised in any of the said Unions to any person who does not reside in some place within the Union, save and except in the following cases (*l*):—

(*k*) The regulation which requires the entry on the Minutes of the Medical Officer's Report, or a Medical Certificate in case of relief being given to an able-bodied pauper on account of sickness, accident, etc., has been introduced in consequence of a tendency which has displayed itself in various parts of the country, to make exceptions to the Prohibitory Order on too slight grounds, and the Commissioners think that this provision will have the useful effect of calling the special attention of the Guardians to every such case. If the pauper should not have been attended by a Medical Officer of the Union, a certificate may be given either by the Medical Practitioner who may have attended him, or by a Medical Officer of the Union who may visit him for the purpose.—*Instr. Letter*. The entry in the minutes here referred to, it will be perceived, refers to the Medical Reports or Certificates on which the orders of the Guardians for relief are founded, and is in no way interfered with by the Order of Accounts which was issued subsequently to this Order.

(*l*) Under the provisions of this Article, the Guardians may relieve a pauper residing within the Union, though not residing in the Parish to which he belongs; the Commissioners, however, are far from wishing to encourage even this species of non-resident relief. It is true that the frauds and evils which are incidental to non-resident relief, in consequence of the want of inspection and the difficulty of transmitting the relief, do not occur with reference to paupers resident within the Union, who are within the reach of the Relieving Officers; but, nevertheless, the ratepayers of the Parish charged with the relief, who by means of the quarterly list of paupers, can, by personal observation of those who reside in their Parish, ascertain whether they are fit objects for relief, are deprived of this protection where the pauper for whom they pay is resident at a distant part of the Union. The relief of paupers out of their Parish, and out of the relieving District in which the Parish is comprised, is not unattended with difficulties both of a legal and practical nature, which are sufficient to make it desirable that the Guardians should not, without sufficient ground, permit new cases of this nature even within the Union. The Commissioners have stated fully their views on the subject of non-resident relief, as respects both its legality and expediency, in a Minute dated the 26th of January, 1841, which is printed in the Appendix. See their Seventh Annual Report, p. 106.—*Instr. Letter*.

Art. 3.—(1st exception).—Where such person, being casually within such parish, shall become destitute (*m*).

2nd.—Where such person shall require relief on account of any sickness, accident, or bodily or mental infirmity, affecting such person, or any of his or her family (*n*).

3rd.—Where such person shall be entitled to receive relief from any parish in which he or she may not be resident, under any order which Justices may by law be authorized to make (*o*).

(*m*) The Commissioners have introduced this exception in order to meet the cases of vagrants, who may become casually destitute within the Union. It is the duty of the Guardians to relieve persons so situated, without reference to the place of their settlement or residence. The Commissioners have not introduced into this Article an exception on account of sudden and urgent necessity. [See note to Art. 1, exception 1.] Cases of sudden and urgent necessity manifestly require the prompt attention and vigilant inspection which can only be exercised by the Guardians and their Officers in the district where the necessity arises.—*Instr. Letter*.

(*n*) This exception corresponds to the second exception to Art. 1. The Commissioners introduced this exception on account of the difficulty which a want of the power of giving temporary relief to non-residents in case of sickness has been found to create in some parts of the country. The Commissioners, however, caution the Guardians against giving temporary relief in cases of sickness to persons not resident within the Union, unless they are able to obtain accurate information concerning the case, and can ensure adequate and prompt relief, both medical and otherwise. It may be observed that this exception permits poor persons to be sent to establishments out of the Union intended for the treatment of their respective infirmities, as hospitals for the sick, asylums for the insane, and schools for the blind or deaf and dumb.—*Instr. Letter*. But since this Order was issued, the 9 & 10 Vict. c. 66, s. 4, has prevented the removal of a poor person who has become chargeable to a Parish, in which he is not settled, in consequence of temporary sickness. In such a case the Guardians cannot grant non-resident relief, as such relief as may be necessary is properly chargeable to the common fund of the Union in which the pauper is resident. The Guardians may, however, under this exception, grant non-resident relief to any poor person whose sickness, etc., is of a permanent character.

(*o*) The third exception is intended expressly to except from

Art. 3.—4th exception).—Where such person, being a widow, shall be in the first six months of her widowhood (*p*).

5th.—Where such person is a widow, who has a legitimate child dependent on her for support, and no illegitimate child born after the commencement of her widowhood, and who at the time of her husband's death was resident with him in some place other than the parish of her legal settlement, and not situated in the Union in which such parish may be comprised (*q*).

the operation of the Order the cases of relief given to non-resident lunatics in asylums under orders of Justices, and to persons under orders of removal.—*Instr. Letter*.

(*p*) This exception is similar to the fourth exception to Art. 1, the reasons for which are stated in the note to that exception.—*Instr. Letter*. But see the 9 & 10 Vict. c. 66, s. 2, which makes a widow irremovable, and consequently chargeable to the Union in which she is residing for one year after her husband's death, provided she was living with him at the time of his death, and has not afterwards changed her residence. In such a case the Guardians cannot lawfully grant non-resident relief, and the statute consequently over-rides this exception. The case of a person who is a widow in a constructive sense, under the 7 & 8 Vict. c. 101, s. 25, does not come within this exception. The exception refers to the husband's death, and therefore it applies only to those who are widows in fact.

(*q*) This exception is that which the Legislature has introduced in the 7 & 8 Vict. c. 101, s. 26, and upon which the Commissioners made their remarks in their Circular Letter to Boards of Guardians, dated the 17th October, 1844. The following is the enactment referred to:—"And be it enacted, that in the case of any person being a widow having a legitimate child dependent on her for support, and no illegitimate child born after the commencement of her widowhood, and who at the time of her husband's death was resident with him in some place other than the Parish of her legal settlement, and not situated in any Union in which such Parish is comprised, it shall be lawful for the Guardians of such Parish or Union, if they see fit, to grant relief to such widow, although not residing in such Parish or Union." Upon this the Commissioners in the Circular referred to observe, "That the widow must have been resident with her husband at the time of his death, not only out of the Parish of her settlement, but also out of the Union in which that Parish may be comprised. The object of the clause appears to be to avoid the disturbance of those connections and mode of life at a

Art. 3.—6th (exception).—Where such person shall be a child under the age of sixteen, maintained in a Workhouse or Establishment for the education of pauper children not situate within the Union (r).

distance from the Union to which the family may have become accustomed, and which existed at the time of the husband's death. Where all the conditions exist which would enable the Guardians to grant non-resident relief, they are still to use their discretion as to whether non-resident relief to the widow is in each particular case desirable. The general objection to such relief, such as the difficulty of ascertaining the circumstances of paupers beyond the power of inspection of the Guardians or their Officers, and the further difficulties attendant on the transmission of relief to places where the Guardians have no authority and no official agency, will be weighed by the Guardians. This power is one entrusted to Boards of Guardians only. Overseers acquire no authority under this provision to administer non-resident relief to the class of widows described. It must be borne in mind by Guardians and their Officers that they are in nowise exempted from their previous obligation to relieve any widow who may be in their Parish or Union requiring relief, by the power thus given to the Guardians of the place of her settlement to afford her non-resident relief. And even when that power is exerted, if notwithstanding the relief sent to her by her Parish, she or her children require additional or further relief, the Officers of the place where she is are still bound, as heretofore, to afford her the relief which the circumstances require." It may further be observed, that if the widow should have an illegitimate child born after the commencement of her widowhood, her case will not be brought within this exception, though such illegitimate child should afterwards die. On reference to the note to Art. 1, exception 5, it will be seen that the death of the illegitimate child again brings the case of the widow under that exception.

(r) This exception removes the restriction upon Guardians from sending children to a Workhouse or Establishment for the training of pauper children, which may be situated out of their Union, where, but for the prohibition of relief to non-residents contained in the Order, they might lawfully do so.—*Instr. Letter.* The 7 & 8 Vict. c. 101, s. 51, empowers the Guardians of any Parish or Union to send infant poor, not above the age of sixteen years, being chargeable to such Parish or Union, who are orphans or are deserted by their parents, or whose parents or surviving parents or guardians are consenting thereto, to any district school formed under that Act which is within twenty miles. See also the 14 & 15 Vict. c. 105, s. 6, as to sending, with the consent of the Poor Law Board, certain children to a Workhouse belonging to another Union or Parish within twenty miles, where there is adequate accommodation. Reference may also be made

Art. 3.—(7th exception).—Where such person shall be the wife or child, residing within the Union, of some person not able-bodied, and not residing within the Union (s).

8th.—Where such person shall have been in the receipt of relief from some parish in the Union from which such person seeks relief, at some time within the twelve calendar months next preceeding the date of that one of the several Orders hereinbefore recited which was applicable to that Union, being settled in such parish and not being resident within the Union at the time of the allowance of the relief (t).

Art. 4 (u).—Where the husband of any woman is beyond the seas, or in custody of the law, or in confinement in a

to the 12 & 13 Vict. c. 103, s. 14, enabling Gwardians to contract to receive into their Workhouses certain poor persons belonging to other Unions or Parishes within certain limits. It is further enacted by the 18 & 19 Vict. c. 34, s. 1, that the Gwardians may lawfully grant relief out of the Workhouse to provide education for any child of any poor person lawfully relieved out of the Workhouse, between the ages of four and sixteen, in any school to be approved of by them, for such time and under such conditions as they shall see fit. See the Circular of the Poor Law Board on this subject, dated 9th January, 1856.

(s) This exception enables the Guardians to relieve the resident family of a non-resident man, provided he be not able-bodied, without requiring them to come into the Workhouse.—*Instr. Letter.*

(t) This exception permits the continuance of non-resident relief to all paupers (not being able-bodied persons within Art. 1) who were in the receipt of relief from some Parish in the Union, within the twelve calendar months next preceeding the date of the several Orders issued to the different Unions set forth in the schedule. Consequently, it permits the continuance of non-resident relief to the infirm through age or any other cause, and to able-bodied widows with a child or children, who were in the receipt of parochial relief from the Union within that period.

(u) This Article is introduced in conformity with the new provision contained in the 7 & 8 Vict. c. 101, s. 25, in regard to the relief of women separated from their husbands, in certain cases particularly specified, who are by that provision to be treated as widows in respect to relief to be afforded to them by Gwardians. In the Circular Letter of the 17th October, 1844, on this subject, the Commissioners remark, "Married women whose children required and received relief were not before the passing

licensed house or asylum as a lunatic or idiot, all relief which the Guardians shall give to his wife, or her child or children, shall be given to such woman, in the same manner, and subject to the same conditions, as if she were a widow.

Art. 5.—It shall not be lawful for the Guardians, or any of their Officers, or for the Overseer or Overseers of any parish in the Union, to pay, wholly or in part, the rent of the house or lodging of any pauper, or to apply any portion of the relief ordered to be given to any pauper in payment of any such rent, or to retain any portion of such relief for the purpose of directly or indirectly discharging such rent, in full or in part, for any such pauper.

Provided always, that nothing in this Article contained shall apply to any shelter or temporary lodging, procured in any case of sudden and urgent necessity, or mental imbecility, or shall be taken to prevent the said Guardians, in regulating the amount of relief to be afforded to any particular person, from considering the expense to be incurred by such person in providing lodging (v).

of this Act liable to any conditions in respect of such relief, and could cast off their children upon the Parish, however well such women might be able to maintain their children, or to contribute to their maintenance. Widows, on the other hand, were liable to the like conditions and consequences of relief afforded to themselves and their children as the fathers of legitimate children are. The present Act declares that while the husband of any woman is beyond the seas (that is, *out of Great Britain*), or in custody of the law, or in confinement in any licensed house or asylum as a lunatic or idiot, all relief given to the wife, or to her child or children, shall, notwithstanding her coverture, be given to her, in the same manner and subject to the same conditions as if she were a widow." (Sect. 25.) And again, "Where widows are obliged to receive relief for their children within the Union, or within the Workhouse, these married women will be subject to the like condition."—*Instr. Letter*.

(v) This Article is intended to prevent a practice which has prevailed in some parts of the country, whereby the poor-rates have been made a fund for the payment of rents directly to the landlords. In all cases where the pauper is so far destitute as to require a lodging, or the means of paying for one, if the Guardians do not deem it expedient in the particular case to require the party to come into the Workhouse, they should supply to the pauper the means of paying for such lodging.—*Ibid*.

Art. 6.—Provided always, that in case the Guardians of any of the said Unions depart in any particular instance from any of the regulations hereinbefore contained, and within fifteen days after such departure report the same, and the grounds thereof, to the Poor Law Commissioners, and the Poor Law Commissioners approve of such departure, then the relief granted in such particular instance shall, if otherwise lawful, not be deemed to be unlawful, or be subject to be disallowed (*w*).

(*w*) The Commissioners state that it is possible, although not probable, that cases may occasionally arise which present very peculiar circumstances, and which do not fall within any of the exceptions contained in the present Order. The Commissioners think it desirable in cases of that kind, in which the immediate withdrawal or denial of out-door relief might appear likely to produce serious evil to the applicant, that the Guardians should give out-door relief or take a portion of the applicant's family into the Workhouse, and report the case within fifteen days to the Commissioners as a case of peculiar urgency, in order that they may give their opinion thereupon. The Commissioners have accordingly introduced this proviso, enabling the Guardians to pursue this course with respect to exceptionable cases of this description.—*Instr. Letter.*

With respect to the allowance of relief given by the Relieving Officer on the order of the Guardians under this Article, see note on Art. 215, No. 10, of the General Consolidated Order.

Observe that when out-door relief is given to able-bodied poor persons whose cases do not come within any of the exceptions to Art. 1, with the intention of setting such poor persons to work under the Supplemental Out-door Labour Test Order (*post*) in return for such relief, that unless the cases be reported to the Poor Law Board for their sanction under this Article, that the cost of the relief will be liable to be disallowed by the Auditor. The Labour Test Order, though it requires something more, does not dispense with the requirement of Art. 6 of this Order. The approval of the Poor Law Board to a departure from any of the regulations contained in this Order is signified by a letter signed by one of their secretaries or assistant-secretaries. The case of *Arnold v. The Mayor, etc., of Gravesend*, 25 L. J. R. (N. S.) 417, shows that this is sufficient. In that case, Wood, V.C., said, with reference to a consent signified by the Lords Commissioners of the Treasury, under sect. 94 of the 5 & 6 Wm. IV. c. 76 (the Municipal Corporations Act), that it is perfectly competent for them to give their consent in any manner they may think proper; and the fact of such consent not having been signed, except by their secretary, does not invalidate it.

Art. 7.—No relief which may be contrary to any regulation in this Order shall be given by way of loan; and any relief which may be given to, or on account of, any person above the age of twenty-one, or to his wife, or any part of his or her family under the age of sixteen, under Art. 1, or any of the exceptions thereto, or under any of the exceptions to Art. 3, or under Art. 4, or under the proviso in Art. 6, may, if the Guardians think fit, be given by way of loan (x).

Art. 8.—Whenever the word “Parish” is used in this

(x) The first part of Art. 7 is introduced in order to put an end to a misapprehension of the law which existed in some Boards of Guardians, viz. that although the Prohibitory Order prevented them from *giving* out-door relief, they might nevertheless *lend* it. The second part of the Article enables the Guardians to make all the relief which may be given to persons above twenty-one years of age, or their families, a loan under the 58th section of the 4 & 5 Wm. IV. c. 76.—*Instr. Letter.* Servants falling sick whilst in the employment of their masters frequently apply for relief during their sickness, and unless there is a special agreement between the master and servant, the former is not liable to provide the latter with medical or surgical aid in case of sickness. If such an agreement existed in any case, it would give the servant a remedy against the master; but in no case have the Guardians any claim against the master for relief which they may give to his servant. In such a case the Guardians should give the relief on loan, and they may, under the 4 & 5 Wm. IV. c. 76, s. 59, attach in the hands of the master any future wages which the servant may earn. Medical relief, as the exact cost of it in any individual case cannot in general be severed from the total cost of medical relief in the particular district, does not seem to be such relief as can be given by way of loan. But in some Unions it is nevertheless so given. It must be borne in mind that unless the relief at the time that it is given be expressly declared to be given by way of loan, it cannot be recovered from the applicant afterwards. As to the application of property coming into the possession of paupers, in repayment of relief, see the 11 & 12 Vict. c. 110, s. 10, and 12 & 13 Vict. c. 103, s. 16. The distinction between relief by way of loan and a loan should also be borne in mind. The Guardians are not empowered to lend money to any one, whether destitute or not; all that they can legally do is to relieve destitution, where it exists, and declare that the relief is given by way of loan, and not absolutely. As to the mode of obtaining repayment of relief given to out-pensioners of Greenwich and Chelsea Hospitals and lunatic pensioners, see 19 Vict. c. 15, ss. 8, 9.

Order, it shall be taken to include any place separately maintaining its own poor, whether parochial or extra-parochial.

Art. 9.—Whenever the word “Union” is used in this Order, it shall be taken to include not only an Union of Parishes formed under the provisions of the hereinbefore recited Act, but also any Union of Parishes incorporated or united for the relief or maintenance of the poor under any Local Act of Parliament (*y*).

Art. 10.—Whenever the word “Guardians” is used in this Order, it shall be taken to include not only Guardians appointed or entitled to act, under the provisions of the said hereinbefore recited Act, but also any Governors, Directors, Managers, or Acting Guardians entitled to act in the ordering of relief to the poor from the poor-rates under any Local Act of Parliament (*y*).

Art. 11.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

(*y*) Arts. 9 & 10. —These Articles are introduced because the Order is addressed to four Unions of Parishes formed not under the 4 & 5 Wm. IV. c. 76, but under Local Acts of Parliament, viz. East and West Flegg, Forehoe, and Tunstead and Happing. —*Instr. Letter.* The third, the Samford Incorporation, was subsequently dissolved, and the Parishes reunited under the name of the Samford Union, on the 24th February, 1849.

In concluding the remarks on this Order it is desirable to call the attention of the Guardians to a provision which has been made by the Legislature, with reference to the relief of Lascars and other natives of the territories under the government of the Council for India, who may be found destitute in this country, and also with reference to the repayment of such relief out of the revenues of India. The provision referred to is contained in the “Merchant Shipping Act Amendment Act, 1855.” The 16th clause of the 17 & 18 Viet. c. 120, contains a provision applicable to a somewhat similar class of persons to those specified in the 18 & 19 Viet. c. 91, namely, to natives of any country in Asia, Africa, or of any of the Islands in the South Sea or Pacific Ocean, or of any other country not having any consul in the United Kingdom.

SCHEDULE,

Containing the Names of the Unions to which the present
Order applies.

Aberaeron.	Barnstaple.	Braintree.
Abergavenny.	Barrow-upon-Soar.	Brampton.
Aberystwith.	Basford.	Brecknock.
Abingdon.	Basingstoke.	Bridge.
Albans, St.	Bath.	Bridgend and Cow- bridge.
Alcester.	Battle.	Bridgnorth.
Alderbury.	Beamminster.	Bridgwater.
Alnwick.	Bedale.	Bridport.
Alresford.	Bedford.	Brixworth.
Alton.	Bedminster.	Bromley.
Altrincham.	Belford.	Bromsgrove.
Amersham.	Belper.	Bromyard.
Amesbury.	Bellingham.	Buckingham.
Ampthill.	Berkhampstead.	Buntingford.
Andover.	Berwick-upon-Tweed.	Burton-upon-Trent.
Asaph, St.	Beverley.	Bury St. Edmunds.*
Ashby-de-la-Zouch.	Bicester.	
Ashford, East.	Bideford.	
Ashford, West.	Biggleswade.	Caistor.
Aston.	Billericay.	Calne.
Ateham.	Billesdon.	Cambridge.
Atherstone.	Bingham.	Cardiff.
Auckland.	Bishop Stortford.	Cardigan.
Austell, St.	Blaby.	Carmarthen.
Axbridge.	Blandford.	Castle Ward.
Axminster.	Blean.	Catherington.
Aylesbury.	Blofield.	Caxton & Arrington.
Aylesford, North.	Blything.	Cerne.
Aylsham.	Bosmere and Claydon.	Chailey.
	Boston.	Chapel-en-le-Frith.
	Bourn.	Chard.
Bakewell.	Brackley.	Cheadle.
Bala.	Bradfield.	Chelmsford.
Banbury.	Bradford (Wilts).	Cheltenham.
Barnet.		

* Bury St. Edmunds is under a Local Act.

Chepstow.	Driffeld.	Godstone.
Chesterfield.	Droitwiche.	Goole.
Chesterton.	Droxford.	Grantham.
Chester-le-Street.	Dudley.	Gravesend & Milton.
Chippenham.	Dunmow.	Guildford.
Chipping Norton.	Durham.	Guiltecross.
Chipping Sodbury.	Dursley.	Guisborough.
Christehureh.		
Church Stretton.	Easingwold.	Hailsham.
Cireneester.	Eastbourne.	Halstead.
Cleobury Mortimer.	East Grinstead.	Haltwhistle.
Clifton.	Easthampstead.	Hambleton.
Clun.	East Retford.	Hardingstone.
Clutton.	East Ward.	Hartismere.
Cockermouth.	Eastry.	Hartley Wintney.
Colchester.	Elham.	Hastings.
Columb, Major, St.	Ellesmere.	Havaut.
Cookham.	Ely.	Haverfordwest.
Corwen.	Epping.	Hay.
Cosford.	Epsom.	Hayfield.
Cranbrook.	Erpingham.	Headington.
Crediton.	Eton.	Hemel Hempstead.
Crickhowel.	Evesham.	Henley.
Criklade and Woot-		Henstead.
ton Bassett.	Faith, St.	Hereford.
Croydon.	Fareham.	Hertford.
Cuckfield.	Faringdon.	Hexham. [don.
	Faversham.	Highworth and Swin-
Darlington.	Festiniog.	Hinckley.
Dartford.	Flegg, East and West.	Hitchin.
Daventry.	Foleshill.	Holbeach.
Depwade.	Fordingbridge.	Hollingbourn.
Derby.	Forehoe.	Holywell.
Devizes.	Freebridge Lynn.	Honiton.
Doeking.	Frome.	Hoo.
Doneaster.		Horneastle.
Dorehester.	Gainsborough.	Horsham.
Dore.	Germans, St.	Houghton-le-Spring.
Dorking.	Glanford Brigg.	Howden.
Dover.	Glendale.	Hoxne.
Downham.	Glossop.	Hungerford.
Drayton.	Gloucester.	Huntingdon.

Hursley.	Maidstone.	Northwich.
Ipswich.	Maldon.	North Witehford.
Ives, St.	Malling.	Nuneaton.
Kettering.	Malmsbury.	Oakham.
Keynsham.	Malton.	Okehampton.
Kidderminster.	Mansfield.	Ongar.
Kingsbridge.	Market Bosworth.	Ormskirk.
Kingselere.	Market Harborough.	Orsett.
King's Norton.	Marlborough.	Oundle.
Kington.	Martley.	Patrington.
Knighton.	Medway.	Pembroke.
Lanchester.	Melksham.	Penkridge.
Langport.	Melton Mowbray.	Penrith.
Launceston.	Mere.	Penzance.
Ledbury.	Meriden.	Pershore.
Leek.	Midhurst.	Peterborough.
Leighton Buzzard.	Mildenhall.	Petersfield.
Leominster.	Milton.	Petworth.
Lewes.	Mitford and Laun-	Pewsey.
Lexden & Winstree.	diteh.	Pickering.
Leyburn.	Monmouth.	Plomesgate.
Lieffield.	Morpeth.	Plympton, St. Mary.
Lincoln.	Nantwich.	Pont-y-Pool.
Linton.	Narbeth.	Poole.
Liskeard.	Neath.	Portsea Island.
Llandilo Fawr.	Neot's, St.	Potterspury.
Llandoverly.	Newark.	Pwllheli.
Llanelly.	Newbury.	Reading.
Llanfyllin.	Newcastle-in-Emlyn.	Redruth.
Loddon & Clavering.	Newcastle-under-	Reeth.
Longtown.	Lyne.	Reigate.
Loughborough.	Newent.	Richmond (York-
Louth.	New Forest.	shire).
Ludlow.	Newhaven.	Ringwood.
Luton.	Newmarket.	Risbridge.
Lutterworth.	Newport(Monmouth).	Rochford.
Lymington.	Newport (Salop).	Romford.
Madeley.	Newport Pagnell.	Romney Marsh.
	Newton Abbott.	Romsey.
	Northampton.	
	Northleach.	

Ross.	Stroud.	Walsal.
Rothbury.	Sturminster.	Walsingham.
Royston.	Sudbury.	Wangford.
Rugby.	Swaffham.	Wantage.
Ruthin.	Swansea.	Ware.
Rye.		Wareham and Pur-
	Tamworth.	beck.
Saffron Walden.	Taunton.	Warminster.
Samford.	Tavistock.	Warwick.
Searborough.	Teesdale.	Watford.
Seuleoates.	Tenbury.	Wayland.
Sedgefield.	Tendring.	Weardale.
Seisdon.	Tenterden.	Wellingborough.
Selby.	Tetbury.	Wellington (Som.)
Sevenoaks.	Tewkesbury.	Wellington (Salop).
Shaftesbury.	Thakeham.	Wells.
Shardlow.	Thame.	Welwyn.
Sheppey.	Thanet, Isle of.	Wem.
Shepton Mallett.	Thetford.	Weobly.
Sherborne.	Thingoe.	Westbourne.
Shiffnal.	Thirsk.	West Bromwich.
Shipston-upon-Stour.	Thomas, St.	Westbury-upon-
Skirlaugh.	Thornbury.	Severn.
Sleaford.	Thorne.	Westbury and Whor-
Solihull.	Thrapston.	welsdown.
Southam.	Tiechurst.	West Fille.
South Molton.	Tisbury.	West Ham.
South Shields.	Tiverton.	West Hampnett.
South Stonoham.	Tonbridge.	West Ward.
Southwell.	Torrington.	Weymouth.
Spalding.	Totnes.	Wheatenhurst.
Spilsby.	Toweester.	Whitby.
Stafford.	Tunstead & Happing.	Whitehurch.
Staines.	Tynemouth.	Whitehaven.
Stamford.		Wigton.
Steyning.	Uckfield.	Williton.
Stoekbridge.	Uppingham.	Wilton.
Stone.	Upton-upon-Severn.	Wimborne and Cran-
Stourbridge.	Uttoxeter.	borne.
Stow.	Uxbridge.	Wineanton.
Stow-on-the-Wold.		Wineheombe.
Stratford-upon-Avon.	Wallingford.	Winchester, New.

Windsor.	Wokingham.	Worksop.
Winslow.	Wolverhampton.	Wrexham.
Wirrall.	Woodbridge.	Wycombe.
Wisbeach.	Woodstock.	
Witham.	Wolstanton and	Yeovil.
Witney.	Burslem.	
Woburn.	Worcester.	

Given under our Hands and Seal of Office, this Twenty-first day of December, in the year of our Lord, One thousand eight hundred and forty-four.

L. S.

(Signed) GEO. NICHOLLS.
G. C. LEWIS.
EDMUND W. HEAD.

On the 21st December, 1844, an Order similar to the foregoing, but omitting the words "and not situated in the Union in which such Parish may be comprised," at the end of the 5th exception to Article 3, was issued to the following single Parishes in which relief to the poor is administered under Boards of Guardians :—

Alston-with-Garrigill,	Whittlesea, St. Mary and
East Stonehouse,	St. Andrew,
Stoke-upon-Trent,	Yarmouth, Great.

On the 17th August, 1852, a further General Order on the same subject was issued to the following Unions :—

Chertsey,	Kingston-upon-Thames,
Easington,	Stockton.

Orders prohibiting out-door relief to the able-bodied poor have also, since the issue of the General Order of 21st December, 1844, been issued to the following Unions and Places on the dates under mentioned :—

Ashbourne	5th December, 1849.
Bangor and Beaumaris . . .	30th March, 1849.
Bridlington	16th October, 1849.
Bristol	24th April, 1856.
Canterbury	5th April, 1851.

Carnarvon	30th March, 1849.
Chester	1st November, 1850.
Congleton	9th February, 1846.
Exeter	20th October, 1856.
Falmouth	13th January, 1853.
Farnham	6th March, 1848.
Great Ouseburn	January, 1859.
Hatfield	5th May, 1845.
Helmsley Blackmoor	21st July, 1852.
Kirkby Moorside	7th February, 1852.
Llanrwst	30th March, 1849.
Macclesfield	2nd October, 1852.
Newtown and Llanidloes	24th April, 1845.
Oswestry	16th November, 1850.
Shrewsbury	23rd May, 1851.
Stokesley	14th February, 1852.
Truro	13th January, 1853.
Yarmouth, Great	31st December, 1844.
York	18th May, 1852.

A General Order bearing date the 15th May, 1851, prohibiting relief being given from the poor-rates (with certain exceptions) to any person who does not reside in some place within the Union, was issued by the Poor Law Board to the

Camelford,
Helston,

Holsworthy, and
Stratton Unions.

On the 26th November, 1858, an Order, regulating the administration of out-door relief, was also issued to the Dolgelly Union.

In each of those cases the particular Order should be referred to, as it is not always in the precise terms of the Order given in the text, *ante*, page 244.

OUT-DOOR RELIEF REGULATION ORDER.

To the Guardians of the Poor of the several Unions and Parishes named in the Schedules hereunto annexed ;—

To the Churchwardens and Overseers of the Parishes comprised in the said Unions, and the said several other Parishes named in the said Schedules ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Unions and Parishes are situate ;—

And to all others whom it may concern.

WHEREAS the Poor Law Board, by their Order bearing date the 25th day of August last, and addressed to the several Unions and Parishes named in the Schedules thereunto annexed, being the same as those mentioned in the Schedules hereunto annexed, did make certain rules and regulations for the administration of the relief to the out-door poor, and it is expedient that the same should be modified.

Now, therefore, We, the Poor Law Board, in pursuance of the authorities vested in Us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales,*" and by all other Acts amending the same, do hereby rescind the said Order, except so far as it rescinded any Order theretofore issued by the Poor Law

Commissioners or Poor Law Board to the said Unions and Parishes named in the Schedules hereunto annexed (a), and except as to every matter done or commenced in obedience thereto; and We do hereby Order, Direct, and

(a) The following is the reseinding clause of the Order of the 25th August, 1852, that is here referred to:—"We, the Poor Law Board, in pursuance, etc. etc., do hereby reseind so much of every Order, whether General or Special, heretofore issued by the Poor Law Commissioners or Poor Law Board to the several Unions and Parishes named in the Schedules hereunto annexed, as relates to the several subjects herein provided for."

The Poor Law Board, with reference to the Order of 25th August, 1852, stated that they thought it expedient to issue to certain Unions and Parishes, in many of which no regulations concerning out-door relief are now in force, a General Order regulating the administration of relief, and prescribing, among other things, an out-door labour test for able-bodied males.

The principle kept in view in all the provisions of this Order is that which was established by the 43rd Eliz. c. 2, namely, that the disabled poor should be relieved and the able-bodied be employed; which ruling principle of the Poor Law is laid down in these words by that statute,—the Churchwardens and Overseers shall "take order from time to time for setting to work the children of all such whose parents shall not, by the said Churchwardens and Overseers, or the greater part of them, be thought able to keep and maintain their children; and also for setting to work all such persons, married or unmarried, having no means to maintain them, and use (using) no ordinary and daily trade of life to get their living by; and also, to raise, weekly or otherwise, a convenient stock of flax, hemp, wool, thread, iron, and other ware and stuff, to set the poor on work; and also, competent sums of money for and towards the necessary relief of the lame, impotent, old, blind, and such other among them being poor and not able to work."

The Guardians at the present day stand in the place of the Churchwardens and Overseers, and the Poor Law Board therefore address to them the following remarks explanatory of the several Articles of the Order:—

The Board are of opinion that where there is a commodious and efficient Workhouse it is best that the able-bodied paupers should be received and set to work therein; but, looking to the circumstances of most of the Unions and Parishes in London and in some other populous places, they have not thought it expedient in this Order to prohibit out-door relief to any class of paupers; at the same time they leave the Guardians at liberty to offer relief in the Workhouse only in every case in which they may consider it right to apply that test of destitution, or in which they

Declare, with respect to each and every of the said Unions and Parishes, from and after the first day of January next, as follows:—

Art. 1.—Whenever the Guardians allow relief to any able-bodied male person, out of the Workhouse, one half at least of the relief so allowed shall be given in articles of food or fuel, or in other articles of absolute necessity (*b*).

Art. 2.—In any case in which the Guardians allow relief for a longer period than one week to an indigent poor person, resident within their Union or Parish respectively, without requiring that such person shall be received into the Workhouse, such relief shall be given or administered weekly, or at such more frequent periods as they may deem expedient (*c*).

consider that form of relief the most suitable to the necessity of the applicant and the circumstances of the case.—*Instr. Letter*, 25th August, 1852.

(*b*) The object of this provision is to prevent the misapplication of the relief furnished, and the general rule is to be observed whether work is exacted in return for the relief or not.—*Instr. Letter*, 25th August, 1852.

In this Article all words which relate to any other class of destitute poor than able-bodied males have been omitted, and, as it is now framed, the Guardians have therefore full discretion as to the description of relief to be given to indigent poor of every other class. The Board cannot, however, but observe, that, whilst they have introduced this modification in deference to the numerous representations of the Boards of Guardians who have addressed them on the subject, they entertain a strong conviction, which is justified by the practice of several well-managed Unions and Parishes, that a certain portion of relief may properly be given in kind, with benefit to the ratepayers and advantage to the poor. The Board are induced, therefore, to express a confident hope that this mode of relief, the beneficial results of which are attested by experience, will be generally adopted by Boards of Guardians in the due exercise of that discretionary power with which they are invested.—*Instr. Letter*, 14th December, 1852.

The Poor Law Board consider that Art. 1 of the General Order of the 14th December, 1852, does not apply to the case of a man who, though ordinarily able-bodied, is suffering from sickness at the time of his obtaining relief; nor to the case of a man who being able-bodied, requires relief on account of the sickness of his wife or of any of his children under sixteen years of age.—O.C. No. 57 (N. S.), p. 82.

(*c*) Art. 2 prevents the practice of delivering a large amount

Art. 3.—It shall not be lawful for the Guardians or their officers (*d*)—

To establish any applicant for relief in trade or business ;

Nor to redeem from pawn for any such applicant any tools, implements, or other articles ;

Nor to purchase and give to such applicant any tools, implements, or other articles, except articles of clothing or bedding where urgently needed, and such articles as are hereinbefore referred to in Art. 1 ;

Nor to pay, directly or indirectly, the expense of the conveyance of any poor person, unless conveyed under the provisions of some Statute, or under an Order of Justices or other lawful authority, or in conformity with some Order or Regulation of the Poor Law Commissioners or the Poor Law Board, except in the following cases ; viz.—

1st. The case of a person conveyed to or from a district school, or an hospital or infirmary, or a lunatic asylum, or a house licensed or hospital registered for the reception of lunatics ;

2nd. The case of a person conveyed to the Work-

of relief to a pauper at once in cases in which it is intended that the relief shall be for a considerable period, and the amount is consequently more than the immediate destitution of the pauper requires. The object of the Board in this Article is mainly to save poor persons in the receipt of relief from being exposed to the temptation of expending at once money given to them beyond their present necessities.—*Instr. Letter*, 25th, August, 1852.

Words have been introduced in Art. 2 limiting the obligation to administer the relief weekly to cases of poor persons resident within the Union or Parish, so as to avoid any inconvenience or difficulty which might be experienced in extending the application of the Regulation to non-resident poor. The Board have also inserted words for the purpose of more clearly showing that there is nothing in this Article to prevent Guardians from directing that the relief ordered be given more frequently than once a week, if they think fit to direct that a portion only be given at a time. All that is necessary is, that each week's relief should be given within the week.—*Instr. Letter*, 14th December, 1852.

(*d*) This Article is general in its terms, and it applies to in-door paupers as well as to those who are relieved out of the Workhouse.

house of the Union or Parish in which such person is at the time chargeable ;

Art. 3.—3rd (exception).—The ease of a person conveyed to or from any other Workhouse or other house or establishment for the reception of poor persons, in which for the time being it shall be lawful for the Guardians to place such person ;

Nor to give money to or on account of any such applicant for the purpose of effecting any of the objects in this Article mentioned ;

Nor to pay, wholly or in part, the rent of the house or lodging of any pauper, nor to apply any portion of the relief ordered to be given to any pauper in payment of any such rent, nor to retain any portion of such relief for the purpose of directly or indirectly discharging such rent, in full or in part, for any such pauper ;

Provided always, that nothing in this Article contained shall apply to any shelter or temporary lodging procured for a poor person in any case of sudden or urgent necessity or mental imbecility (*e*).

Art. 4.—No relief shall be given from the poor-rates of any of the said Parishes, or of any Parish comprised in any of the said Unions, to any person who does not reside in some place within such Parish or Union respectively, save and except in the following cases :—

1st. The case of a person casually within such Parish, and destitute.

2nd. The case of a person requiring relief on account of any sickness, accident, or bodily or mental infirmity, affecting him or her or any of his or her family.

3rd. The case of a widow, having a legitimate child de-

(*e*) Art. 3 is intended to preclude the payment of rent, and the allowance of relief in other specified forms, which are not recognized by the law, and are at variance with the principle laid down in the statute of Elizabeth above mentioned. The cases here indicated are those which cannot, without great difficulty, be sufficiently investigated and watched by Guardians and their officers, and are, therefore, such as afford frequent occasions of deception.—*Instr. Letter*, 25th August, 1852.

pendent on her for support, and no illegitimate child born after the commencement of her widowhood, and who at the time of her husband's death was resident with him in some place other than the Parish of her legal settlement, and not situated in the Union in which such Parish is comprised.

Art. 4th.—4th (exception).—The case of a child under the age of sixteen, maintained in a Workhouse or Establishment for the education of poor children not situate within the Union or Parish.

5th. The case of the wife or child residing within such Parish or Union of some person not residing therein.

6th. The case of a person who has been in the receipt of relief from such Parish, or from some Parish in the Union from which he or she seeks relief, at some time within the twelve calendar months next preceding the date of this Order (*f*).

Art. 5.—No relief shall be given to any able-bodied male person while he is employed for wages or other hire or remuneration by any person (*g*).

(*f*) Art. 4 imposes a restriction upon the allowance of relief to non-resident paupers, with certain exceptions, wherein a discretionary power, subject, however, to the restrictions imposed by the other Articles of this Order, is left to the Guardians. It is obvious that relief to non-resident paupers is a form of relief peculiarly open to abuse, and the Poor Law Commissioners have in their Minute of the 26th January, 1841, Seventh Annual Report, p. 106, fully detailed the general objections and evils arising out of it. The present Order, however, in consideration of such relief having, in recent times, prevailed extensively, only provides for its gradual extinction, and still permits it in certain cases, where the denial might be most felt as a hardship. The relief of this kind which is authorized by the 7 & 8 Vict. c. 101, s. 26, to widows, is necessarily exempted from the rule. The Guardians will remember that, in cases where the non-resident pauper is irremovable by reason of the late Removal Act, there is no legal ground for their granting relief, which if required should be given by and charged upon the Union or Parish of the residence.—*Instr. Letter*, 25th August, 1852.

(*g*) Art. 5 prohibits the giving relief to able-bodied male paupers while employed for wages. The evils of such a system of relief have been found so great in practice as to be almost universally admitted, and are prominently indicated by the Legis-

Art. 6.—Every able-bodied male person, if relieved out of the Workhouse, shall be set to work by the Guardians, and be kept employed under their direction and superintendence so long as he continues to receive relief (*h*).

lature in the 4 & 5 Wm. IV. c. 76, s. 52, as forming the principal ground on which the Poor Law Commissioners were by that Act invested with the power and charged with the duty of making Regulations for the due administration of relief to able-bodied persons. The Board desire, however, to point out, that what it is intended actually to prohibit, is the giving relief at the same identical time as that at which the person receiving it is in actual employment, and in the receipt of wages (unless he falls within any of the exceptions afterwards set forth), and that relief given in any other case, as, for instance, in that of a man working for wages on one day and being without work the next, or working half the week and being unemployed during the remainder, and being then in need of relief, is not prohibited by this Article.—*Instr. Letter*, 14th December, 1852.

(*h*) Article 6 prohibits the allowing relief to an able-bodied male pauper out of the Workhouse unless he be set to work, and kept at work by the Guardians as long as he continues to receive relief. Several cases, however, which are described in Art. 7 are exempted from the compulsory operation of this rule, though in all or any of them the Guardians may, if they think proper, upon a consideration of the circumstances, require work to be performed in return for the relief given. The Board must observe that every payment made by Guardians to paupers ought to assume the form of relief, not of wages, and consequently should be measured by the wants of the applicant, and not by the quantity of work done. It is, therefore, of primary importance that the paupers should labour under vigilant superintendence, and should be required to execute a task fixed according to their physical ability. The General Consolidated Orders provide, in the Unions and Parishes to which they have been issued, for the appointment, and prescribe the duties of a Superintendent of Labour (Arts. 153 and 217); and where superintendence is mentioned in this Order, it is assumed that a Superintendent of Labour is, or is to be, appointed under one of those Orders, or, where they have not been issued, by the general authority of the body administering relief in the Union or Parish, and the Board also assume that he shall be competent, under the direction of the Guardians, to enforce the performance of the required task.—*Instr. Letter*, 25th August, 1852. Article 6 is framed to meet an ordinary state of circumstances, and the Board must remark with satisfaction, that there appears to be nothing in the existing state of things to prevent its being carried into full operation. If, however, owing to any commercial pressure or general depression of trade, large masses of people should hereafter be thrown out of

Art. 7.—Provided that the regulations in Articles 5 and 6 shall not be imperative in the following cases:—

- 1st. The case of a person receiving relief on account of sudden and urgent necessity.
- 2nd. The case of a person receiving relief on account of any sickness, accident, or bodily or mental infirmity, affecting such person or any of his family.
- 3rd. The case of a person receiving relief for the purpose of defraying the expenses of the burial of any of his family.
- 4th. The case of the wife, child, or children of a person confined in any gaol or place of safe custody.
- 5th. The case of the wife, child, or children, resident within the Parish or Union, of a person not residing therein.

Art. 8.—The Guardians shall, within thirty days after they shall have proceeded to act in execution of Art. 6, report to the Poor Law Board the place or places at which able-bodied male paupers shall be set to work, the sort or sorts of work in which they or any of them shall be employed, the times and mode of work, and the provision made for superintending them while working, and shall forthwith discontinue or alter the same, if the Poor Law Board shall so require (*i*).

Art. 9.—No relief which shall be contrary to any regulation in this Order shall be given by way of loan, but any

employment, the Board admit that great difficulty would exist in giving full effect to the provisions of the Article. In such an emergency, instances of which have occurred in former years, the Board would, upon the representation of the Guardians, be prepared at once, as on former occasions, to take such steps, by temporary suspension of this Article or otherwise, as might be expedient to meet satisfactorily and effectually the difficulty experienced. As a general rule, however, applicable to all ordinary circumstances, the Board believe that this Article is both practicable and well calculated to aid in securing a due administration of relief to the able-bodied male poor.—*Instr. Letter*, 14th December, 1852.

(*i*) Article 8 directs that the Guardians shall, within thirty days after the time when they begin to put this test in operation, supply the Poor Law Board with full information as to the measures they have taken for giving effect to the provisions of the Order.—*Instr. Letter*, 25th August, 1852.

relief which may be given in conformity with the provisions of this Order to or on account of any person to whom relief may be lawfully given above the age of twenty-one, or to his wife, or any part of his or her family under the age of sixteen, may, if the Guardians shall think fit, be given by way of loan (*j*).

Art. 10.—If the Guardians shall, upon consideration of the special circumstances of any particular case, deem it expedient to depart from any of the Regulations hereinbefore contained (except those contained in Art. 3), and within Twenty-one days after such departure shall report the same, and the grounds thereof, to the Poor Law Board the relief which may have been so given in such case by such Guardians before an answer to such report shall have been returned by the said Board shall not be deemed to be contrary to the provisions of this Order; and if the Poor Law Board shall approve of such departure, and shall notify such approval to the Guardians, all relief given in such case after such notification, so far as the same shall be in accordance with the terms and conditions of such approval, shall be lawful, anything in this Order to the contrary notwithstanding (*k*).

(*j*) Article 9. The strict observance of this Article is important for the correction of a prevalent error regarding relief by way of loan. It is not unfrequently supposed that there are cases in which, though the Guardians may not *give* relief, they may *lend* it. But this Article points out that what cannot legally be given must not be lent; and that the power of lending is only to be exercised where the Guardians think fit to do something less than absolutely give the relief applied for in cases where the application is lawful. In such cases, and in such only, they may lend it; and such loans should never be made without being in due time strictly recovered.—*Instr. Letter*, 25th August, 1852.

(*k*) The Board have introduced important modifications in Article 10, which is now in substance to the following effect, viz. that in any case in which the Guardians deem it expedient to depart from any of the provisions of the Order (with one exception), and to report the fact of such departure, with the reasons for it, within twenty-one days, to the Poor Law Board, the relief given by them in the interval between the date of such departure, and the receipt of an answer from this Board, shall not be deemed to involve any violation of this Order. The modification thus effected in the Article leaves to the Guardians full and unfettered

Art. 11.—Whenever the word “Guardians” is used in this Order it shall be taken to include not only Guardians appointed or entitled to act under the provisions of the said hereinbefore recited Act, but also any Governors, Directors, Managers, Acting Guardians, Vestrymen, or other officers in a Parish or Union, appointed or entitled to act as Managers of the Poor, and in the distribution or ordering of the relief of the Poor from the Poor-rate, under any general or local Act.

Art. 12.—Whenever the word “Parish” is used in this Order, it shall be taken to include any place separately maintaining its own Poor, whether parochial or extra-parochial.

Art. 13.—Whenever in describing any person or party, matter or thing, the word importing the singular number only is used in this Order, the same shall be taken to include, and shall be applied to several persons or parties as well as one person or party, and several matters or things as well as one matter or thing respectively, unless there be something in the subject or context repugnant to such construction.

Art. 14.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

discretion to deal, in the first instance, with any special case in which they may deem it expedient to give relief in a manner at variance with the provisions of this Order, and only requires them to report to the Board the fact of their having given such relief, and the grounds on which they have done so. As the exceptions provided in Articles 4 and 7 are so numerous as to meet almost all cases, it appears to the Board that the instances in which the Guardians will consider it necessary to avail themselves of the provisions of Article 10 for the purpose of giving relief, will, in all probability, be very few. While, therefore, the Board, on consideration of the special circumstances of many of the Unions and Parishes affected by the Order, and of the character of their population, have thought it expedient to introduce the modified provision now referred to, they trust that the judgment and experience of Boards of Guardians will lead them to abstain, as far as practicable, from any material departure from the sound principles of Poor Law administration upon which the Articles of this Order regulating relief are founded.—*Instr. Letter*, 14th December, 1854.

SCHEDULE (A.)

Containing the Names of the Unions to which the above Order applies.

Anglesey.	Fulham.	Northallerton.
Ashton-under-Lyne.	Fylde, The.	Nottingham.
		Norwich.
Barnsley.	Garstang.	
Barton-upon-Irwell.	Gateshead.	Oldham.
Bierley, North.	Greenwich.	
Blackburn.	Hackney.	Pateley Bridge.
Bolton.	Halifax.	Penistone.
Boughton, Great.	Haslingden.	Poplar.
Bradford, in the West	Hemsworth.	Prescot.
Riding of York-	Hendon.	Presteigne.
shire.	Holborn.	Preston.
Brentford.	Huddersfield.	Prestwich.
Builth.		
Burnley.	Keighley.	Radford.
Bury.	Kendal.	Rhayader.
	King's Lynn.	Richmond, in the
Carlisle.	Kingston-upon-	county of Surrey.
Chichester.	Hull.	Rochdale.
City of London.	Lampeter.	Rotherham.
Chorley.	Lancaster.	Runcorn.
Chorlton.	Leicester.	
Clitheroe.	Leigh.	St. Olave's.
Conway.	Lewisham.	St. Saviour's.
Coventry.		Salford.
	Machynlleth.	Salisbury.
Dewsbury.	Merthyr Tydvil.	Settle.
Dolgelly.*	Mutford and Lo-	Sheffield.
Dulverton.	thingland.	Skipton.
East London.		Southampton.
Ecclesall Bierlow.	Newcastle-upon-	Stepney.
Edmonton.	Tyne.	Stockport.

* So much of this Order as relates to the mode of administering relief to poor persons in the Dolgelly Union, has been rescinded by an Order dated 26th November, 1858, *ante*, page 266.

Strand.	Ulverstone.	West Derby.
Sunderland.		West London.
	Wakefield.	Whitechapel.
Todmorden.	Wandsworth and	Wigan.
Tregaron.	Clapham.	Wight, Isle of.
	Warrington.	Wortley.

SCHEDULE (B.)

Containing the Names of the Parishes to which the above Order applies.

Leeds.	St. Martin-in-the-Fields.
Liverpool.	St. Mary Abbots, Ken-
Manchester.	sington.
Paddington.	St. Mary, Lambeth.
St. George-in-the-East.	St. Mary, Magdalen, Ber-
St. George-the-Martyr,	mondsey.
Southwark.	St. Mary, Rotherhithe.
St. Giles, Camberwell.	St. Matthew, Bethnal
St. John, Hampstead.	Green.
St. Luke, Chelsea.	

Given under our Hands and Seal of Office, this Fourteenth day of December, in the year One thousand eight hundred and fifty-two.

JOHN TROLLOPE, *President.*

S. H. WALPOLE.

B. DISRAELI.

COURTENAY, *Secretary.*

Orders similar to the above have also been issued to the following places:—

Plymouth	3rd January, 1856.
Saddleworth	5th May, 1858.
Toxteth Park	31st March, 1858.

OUT-DOOR LABOUR TEST ORDER (a).

To the Guardians of the Poor of the several Unions named in the Schedule hereunto annexed ;—

To the Churchwardens and Overseers of the several Parishes and Places comprised within the said several Unions ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes and Places comprised within the said Unions are situate ;—

And to all others whom it may concern.

WE the Poor Law Commissioners, in pursuance of the authorities vested in Us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales,*" do hereby order, direct, and declare with respect to each and every of the Unions named in the Schedule hereunto annexed, as follows :—

Art. 1.—Every able-bodied male pauper receiving relief

(a) The Commissioners in their Circular of 30th April, 1842, which accompanied this Order, stated that they thought it expedient to issue to certain Unions in the northern counties, to which no regulations concerning the out-door relief of the able-bodied had been hitherto issued, an Order prescribing an out-door labour test for able-bodied males. It appeared to the Commissioners that, although the circumstances of these Unions were such as rendered it impracticable or inexpedient for them to include them in their General Prohibitory Order, it was nevertheless advisable, for the prevention of abuses inseparable from the out-door relief of the able-bodied to issue to these Unions some regulations on the subject. The following are the principal abuses which this Order is intended to prevent :—1. The pay-

from any Parish within the Union, and not relieved in the Workhouse, shall be relieved in the following manner: that is to say:—

Half at least of the relief given to such pauper shall be given in food, clothing, and other articles of necessity.

No such pauper shall receive relief from the Guardians of the Union, or any of their Officers, or any Overseer of any Parish in the Union, while he is employed for wages or other hire or remuneration by any person; but every such pauper so relieved shall be set to work by the Guardians (b).

Art. 2.—The place or places at which able-bodied male paupers shall be set to work in the Union, the sort or

ment of the wages of able-bodied persons wholly or partially out of the poor-rate; or, in other words, the affording of relief to able-bodied persons whilst they are in the employment of private individuals, and in the receipt of wages. 2. Imposture on the part of able-bodied paupers who may continue chargeable to the rates whilst able to maintain themselves by proper exertion. 3. The payment of rents from the poor-rates. Against these abuses, to arrest which is the interest of the poor themselves as much as of the ratepayers, the provisions of the Poor Law Amendment Act were mainly directed. That statute evidently contemplates, under ordinary circumstances, the adoption of the Workhouse as the most effectual remedy for the evils in question; but in cases where the Guardians have not provided adequate Workhouse accommodation, or where large numbers of able-bodied persons are often suddenly thrown out of employment by the fluctuations of manufactures, the Commissioners may, if they think fit, exercise the power conferred on them by sect. 52 of the Poor Law Amendment Act, of prescribing other conditions for the relief of the able-bodied than admission into the Workhouse.

(b) The Commissioners state that the advantages of this mode of relief, and its tendency to prevent misapplication by the man of what is furnished for the use of his wife and family, have already been often pointed out by them, and will be evident to all who have witnessed its employment on a large scale. The articles given should be those of first necessity, such as bread or potatoes. It is to be observed that this Article applies only to able-bodied men who are not relieved in the Workhouse, and therefore that, so far as the Workhouse may serve, the Guardians may, if they think fit, admit into it any able-bodied applicant for relief.—*Instr. Letter.*

sorts of work in which they or any of them shall be employed, the times and mode of work, and all other matters relating to the employment of such able-bodied paupers, shall be fixed and regulated in such manner as the Poor Law Commissioners shall direct, upon a report being made to them by the Guardians respecting the employment of such able-bodied paupers; which report the Guardians shall transmit to the said Commissioners within fourteen days after the day when this Order shall come into force, and from time to time afterwards as the Poor Law Commissioners may require (c).

Art. 3.—The Guardians shall, upon the direction of the Poor Law Commissioners, appoint, either for a definite or indefinite term, an Officer for the superintendence of the paupers employed under Arts. 1 and 2, to be styled "*Superintendent of Pauper Labour*," and an assistant or assistants to such Officer; and every Superintendent and assistant who may be so appointed shall comply with the regulations of this Order, and any directions which the

(c) This Article makes it necessary for the Guardians to report the mode of employment (such, for instance, as stone-breaking, removing earth, picking oakum, or labour at a hand-mill), together with the place and time of work, and any other regulations, to the Commissioners. This report must be made within fourteen days after the Order comes into force; and the arrangements, if varied afterwards, must be reported in the same manner. With reference to the mode of payment, the Commissioners think that it is always expedient to treat whatever is given as *relief*, and not as *wages*. The Guardians should consider what is sufficient for the wants of the man and his family, or the man alone, if he be single. This sum they should order (half at least of which is to be in kind) as *relief*, to be given on condition that the man performs a certain task of work to the satisfaction of the Superintendent. It is presumed that the task required will be carefully fixed at what it is reasonable for an able-bodied man of average strength to perform. If the pauper should refuse to perform this task, he should be told that inasmuch as he is able *partly* to maintain his family by giving the Guardians the benefit of that quantity of work in return for the relief, and if he refuses or neglects so to do, he will subject himself to punishment under sect. 3 of the Vagrant Act, 5 Geo. IV. c. 83. Thus the misconduct of the man will not interrupt the relief to his wife and children, whilst he himself will be punished for his misconduct.—*Instr. Letter.*

Poor Law Commissioners may give in pursuance of Art. 2 (*d*).

Art. 4.—Every Superintendent and assistant to be appointed under this Order, shall be appointed by a majority of the Guardians present at a meeting of the Board, and every such appointment shall, as soon as the same shall have been made, be reported to the Poor Law Commissioners by the Clerk to the Guardians.

Art. 5.—No appointment to the office of Superintendent shall be made under this Order, unless notice that such appointment will be made shall have been given at one of the two ordinary meetings of the Board of Guardians next preceeding the meeting at which the appointment shall be made, or unless an advertisement giving notice of such appointment shall have appeared in some public paper, by the direction of the Guardians, at least seven days before the day on which such appointment shall be made.

Art. 6.—The Guardians shall pay to the Superintendent, and his assistant or assistants, such salaries or remuneration as the Poor Law Commissioners shall from time to time direct or approve; and the salary of every Superintendent or assistant appointed under this Order shall be payable up to the day on which he ceases to hold his office, and no longer.

Art. 7.—Every person appointed to the office of Superintendent of pauper labour under this Order shall continue to hold the same during the term for which he shall be appointed, until he shall die, or resign, or be removed by the Poor Law Commissioners; but the Guardians may, at

(*d*) This Article requires the appointment of one or more Officers to superintend the labour. Unless this be done the whole system will fail to answer its end; and though the first abuse of payment of wages out of rates may not occur, the second, viz. of wilful and fraudulent chargeability on the part of the pauper, will defeat all the endeavours of the Guardians to protect the ratepayers. The rate will be relied on as a means of enabling workmen to continue and hold out against offers of reasonable wages, or will deter them from seeking for employment elsewhere. On the due selection of the Superintendent, and the vigilant performance of his duties, much will depend.—*Instr. Letter.*

their discretion, suspend from the discharge of his duties any such Superintendent, and shall, in case of every such suspension, forthwith report the same, together with the cause thereof, to the Poor Law Commissioners for their decision thereon.

Art. 8.—Every assistant appointed under this Order may be dismissed by the Guardians, without the consent of the Poor Law Commissioners; but every such dismissal, and the grounds thereof, shall be reported to the Poor Law Commissioners.

Art. 9.—If any Superintendent appointed under this Order be at any time prevented by sickness, or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay him a reasonable compensation for his services; and every such appointment shall be reported to the Poor Law Commissioners by the Clerk to the Guardians, as soon as the same shall have been made.

Art. 10.—When any Superintendent appointed under this Order shall die or resign, the Guardians shall, as soon as conveniently may be after such death or resignation, give notice thereof to the Poor Law Commissioners, and shall proceed to make a new appointment in the manner prescribed by the above regulations.

Art. 11.—Provided always, that the regulations in Art. 1 shall not apply in the case of any able-bodied male pauper who shall come within any of the following descriptions; that is to say,—

- 1st. Where such pauper shall receive relief on account of sudden or urgent necessity.
- 2nd. Where such pauper shall receive relief on account of any sickness, accident, or bodily or mental infirmity affecting such pauper or any of his family.
- 3rd. Where such pauper shall receive relief for the purpose of defraying the expenses, either wholly or in part, of the burial of any of his family.
- 4th. Where such pauper shall be confined in any gaol or place of safe custody.
- 5th. Where any able-bodied male person shall not reside

within the Union, but the wife, child, or children of such person shall reside within the same, the Guardians may afford relief to such wife, child, or children, according to their discretion (*e*).

Art. 12.—In every case in which the Guardians or any of their Officers may allow relief on account of sickness, accident, or infirmity, to any able-bodied male person, or to any member of the family of any able-bodied male person, without setting such person to work, according to the directions in Art. 1, an extract from the Medical Officer's Weekly Report (if any such Officer shall have attended the case), stating the nature of such sickness, accident, or infirmity, shall be specially entered in the minutes of the proceedings of the Guardians of the day on which the relief is ordered or subsequently allowed.

But if the Guardians shall think fit, a certificate under the hand of a Medical Officer of the Union, or of the medical practitioner in attendance on the party on account of whose sickness, accident, or infirmity, relief shall be allowed, shall be laid before the Board, stating the nature of such sickness, accident, or infirmity, and a copy of the same shall be in like manner entered in the minutes.

Art. 13.—It shall not be lawful for the Guardians of the Union, or any of their officers, or for any Overseer of any parish in the Union, to pay the rent wholly or in part, of any pauper: provided always, that nothing in this Article

(*e*) This Article contains the exceptions to Art. 1; that is to say, the able-bodied cases in which the Guardians may afford relief without requiring labour, and without affording one-half in kind. These exceptions are, in great measure, identical with those in Art. 1 of the Order of the 21st of December, 1844, prohibiting the out-door relief of the able-bodied; and the Commissioners believe that the Guardians will find the discretion thus remaining in their hands sufficient to meet all ordinary instances of hardship. The Order of the 21st of December, however, included able-bodied females as well as males; and as the present Order includes only males, the exceptions relating to widows in that Order are here omitted. The Guardians will remark that this Order is confined to able-bodied persons, and that it does not comprehend the aged and infirm; the latter class, consequently, are not excepted in this Article, or adverted to in any of the observations on the Order.—*Instr. Letter.*

contained shall apply to any shelter or temporary lodging procured in any case of sudden and urgent necessity or mental imbecility (*f*).

Art. 14.—If the Guardians of the Union shall depart in any particular instance from any of the regulations hereinbefore contained, and shall, within fifteen days after such departure, report the same and the grounds thereof to the Poor Law Commissioners, and if the Poor Law Commissioners shall approve of such departure, then the relief granted in such particular instance shall, if otherwise lawful, not be deemed to be unlawful, or be subject to be disallowed.

Art. 15.—No relief which shall be contrary to any regulation in this Order shall be given by way of loan; and every relief which may be given to or on account of any person above the age of twenty-one, or to his wife or any part of his family under the age of sixteen, under Arts. 1, 11, or 12, may, if the Guardians shall think fit, be given by way of loan.

Art. 16.—Whenever the word “Parish” is used in this Order, it shall be taken to signify any place separately maintaining its own poor.

Art. 17.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing that number shall be taken to be signified thereby.

(*f*) This article prohibits the payment of rent; but it will be seen that if a case of sudden urgency occurs, or if an idiot is found in a destitute state, the Board of Guardians, or even the Relieving Officer or Overseers, will in no way be prevented from procuring temporary lodgings to meet the urgency of the case. This proviso, however, will not authorize the continuance of such charge for lodging longer than is sufficient to meet the case, or, if the lodging be procured by the Officers, to bring it before the next meeting of the Board of Guardians. It is scarcely necessary to add, that if a destitute person is too ill to be removed, a medical man's certificate to that effect would justify the Relieving Officer in retaining the lodging in which such person had been placed, until his state should allow of his removal to the Workhouse, or he should cease to be chargeable; but the authority of the Guardians should always be obtained on the first practicable occasion, and should be renewed from time to time as opportunity may offer.—*Instr. Letter.*

SCHEDULE,

Containing the Names of the Unions to which the present Order applies.

Carlisle Union, in the County of Cumberland.

Easington Union, in the County of Durham.

Keighley Union, in the County of York.

Newcastle-upon-Tyne Union, in the County of the Town of
Newcastle-upon-Tyne and County of Northumberland.

Sunderland Union, in the County of Durham.

Given under our Hauds and Seal of Office, this Thirtieth
day of April, in the year One thousand eight hundred
and forty-two.

L. S.

(Signed) G. C. LEWIS.

EDMUND W. HEAD.

A General Order, 'similar to the above, was issued by
the Poor Law Commissioners, on the 14th March, 1845,
to the following Unions:—

Anglesey.	Llanrwst.
Boughton, Great.	Machynlleth.
Builth.	Merthyr Tydvil.
Conway.	Presteigne.
Dolgelly.*	Rhayader.
Lampeter.	Tregaron.

Separate Out-door Labour Test Orders, similar to the
above, were issued to the following Unions on the dates re-
spectively specified:—

Ashton-under Lyne	29th March, 1847.
Bradford (Yorkshire)	23rd January, 1843.
Dulverton	31st July, 1846.
Gateshead	30th July, 1842.
Halifax	23rd January, 1843.
Helston	29th January, 1846.
Northallerton	22nd May, 1847.
Pocklington	9th November, 1844.
Runeorn	5th June, 1846.
Settlo	8th June, 1842.
Stockton	8th July, 1842.

* So much of this Order as relates to the administration of relief to poor persons in the Dolgelly Union has been rescinded by an Order dated 26th November, 1858, *ante*, page 266.

SUPPLEMENTAL OUT-DOOR LABOUR TEST
ORDER (a).

To the Guardians of the Poor of the —— Union, in the Count-
of —— ;—

*To the Churchwardens and Overseers of the Poor
of the several Parishes and Places comprised in
the said Union ;—*

*To the Clerk or Clerks to the Justices of the Petty
Sessions held for the Division or Divisions in
which the said Union is situate ;—*

And to all others whom it may concern.

IN pursuance of the powers and authorities given in and by the Statutes in that case made and provided, We, the Poor Law Board, do hereby Order, Direct, and Declare, with respect to the Relief of the Poor in the —— Union, in the Count— of ——, as follows :—

Art. 1.—Every able-bodied male pauper who may receive relief from any Parish within the Union, and may be relieved out of the Workhouse, with the approbation of the Poor Law Board, according to the 6th Article of an Order of the Poor Law Commissioners, dated the 21st day of December, 1844, shall be relieved in the following manner : that is to say,—

Half at least of the relief given to such pauper shall be given in food, clothing, and other articles of necessity.

No such pauper shall receive relief from the Guardians

(a) With respect to this and the preceding Order, see the Minute of the Poor Law Commissioners respecting the means of enforcing an out-door labour test, dated 31st Oct. 1842, 9th Annual Report, p. 381.

of the Union, or any of their Officers, or any Overseer of any Parish in the Union, while he is employed for wages or other hire or remuneration by any person; but every such pauper so relieved shall be set to work by the Guardians.

Art. 2.—The Guardians shall, within fourteen days after the day when this Order comes into force, and from time to time afterwards as the Poor Law Board may require, report to the Poor Law Board the place or places at which able-bodied male paupers shall be so set to work in the Union, the sort or sorts of work in which they or any of them shall be employed, the times and mode of work, and all such other matters relating to the employment of such able-bodied paupers as the said Guardians shall deem material to be communicated to the Poor Law Board, or as the Poor Law Board shall require.

Art. 3.—If the Guardians of the Union shall depart, in any particular instance, from any of the regulations hereinbefore contained, and shall, within fifteen days after such departure, report the same and the grounds thereof to the Poor Law Board, and if the Poor Law Board shall approve of such departure, then the relief granted in such particular instance shall, if otherwise lawful, not be deemed to be unlawful, or be subject to be disallowed.

Art. 4.—Whenever the word “Parish” is used in this Order, it shall be taken to signify any place separately maintaining its own poor.

And whereas provision is made in the General Order of the said Poor Law Commissioners, bearing date the twenty-fourth day of July, One thousand eight hundred and forty-seven, addressed, among others, to the Guardians of the Poor of the said Union, for the appointment of an Officer, to be termed a Superintendent of Out-door Labour, and for the continuance in office of such Officer; and it is expedient to provide for the suspension of such Officer on other occasions than those provided for by the said last-mentioned Order.

We do therefore further Order and Direct, that if at any time the number of able-bodied male paupers requiring relief shall be so small as to render the services of such an Officer unnecessary, the Guardians may suspend him from

the performance of his duties until a further occasion shall arise.

Given under our Hand and Seal of Office, this ——
day of ——, in the year One thousand eight hundred and ——.

——, *President.*

——, *Secretary.*

Supplemental Out-door Labour Test Orders have been issued to the following Unions and Places :—

Abergavenny	2nd June, 1842.
Alderbury	14th February, 1849.
Alresford	2nd June, 1847.
Altrincham	13th March, 1857.
Andover	18th December, 1846.
Ashby-de-la-Zouch	15th January, 1858.
Auckland	9th February, 1858.
Axbridge	2nd March, 1847.
Axminster	2nd June, 1844.
Aylesbury	24th January, 1848.
Aylsham	13th January, 1844.
Barnet	12th January, 1849.
Barnstaple	22nd May, 1847.
Barrow-on-Soar	2nd June, 1847.
Basford	18th May, 1847.
Battle	2nd June, 1847.
Beaminster	2nd March, 1849.
Bedminster	17th March, 1847.
Berwick-upon-Tweed	5th April, 1850.
Beverley	24th January, 1854.
Bideford	5th June, 1847.
Billericay	29th November, 1849.
Birmingham	16th January, 1850.
Bosmere and Claydon	2nd February, 1850.
Boston	3rd February, 1847.
Bradford (Wilts)	8th February, 1845.
Braintree	20th January, 1849.
Brampton	7th March, 1855.
Bridgnorth	23rd March, 1858.

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Bridgwater	21st December, 1846.
Bridport	6th March, 1848.
Bromsgrove	21st April, 1845.
Buntingford	24th January, 1843.
Calne	4th February, 1845.
Cambridge	3rd February, 1848.
Camelford	27th July, 1849.
Cardiff	31st December, 1857.
Carlisle	30th April, 1842.
Catherington	2nd June, 1847.
Caxton and Arrington	12th January, 1847.
Chapel-en-le-Frith	21st May, 1842.
Chard	19th March, 1845.
Cheltenham	24th December, 1845.
Chepstow	27th March, 1858.
Chertsey	17th December, 1847.
Chesterfield	17th June, 1848.
Chesterton	14th February, 1849.
Chichester	27th March, 1852.
Chippenham	15th March, 1847.
Chipping Norton	22nd December, 1846.
Chipping Sodbury	23rd February, 1847.
Clifton	2nd March, 1847.
Clutton	7th December, 1849.
Cockermouth	5th August, 1842.
Columb, St., Major	31st May, 1847.
Crediton	21st May, 1847.
Cuckfield	19th March, 1845.
Depwade	7th February, 1854.
Donwham	24th January, 1854.
Dudley	21st April, 1845.
Dunmow	31st May, 1847.
Dursley	1st April, 1847.
Easington	30th April, 1842.
Easingwold	13th February, 1850.
East Grinstead	2nd February, 1850.
East Stonehouse	16th December, 1848.
Ely	19th January, 1854.
Evesham	16th January, 1850.
Faith, St.	6th January, 1848.
Falmouth	1st May, 1849.
Foleshill	13th December, 1847.

Freebridge Lynn	31st January, 1854.
Glossop	19th January, 1848.
Goole	24th November, 1849.
Gravesend and Milton	12th February, 1855.
Guildford	2nd June, 1847.
Hackney	6th January, 1848.
Hailsham	19th March, 1845.
Halstead	20th January, 1849.
Hambledon	5th June, 1847.
Hartismere	24th January, 1850.
Highworth and Swindon	20th January, 1845.
Holbeach	25th January, 1854.
Holsworthy	31st July, 1849.
Horsham	25th January, 1845.
Hoxne	10th February, 1846.
Huntingdon	25th January, 1854.
Ipswich	22nd February, 1855.
Ives, St.	13th January, 1854.
Keighley	30th April, 1842.
Kendal	29th August, 1848.
Kensington	22nd January, 1848.
Kettering	25th January, 1847.
Kidderminster	12th January, 1849.
Kingsbridge	31st May, 1847.
King's Norton	7th February, 1849.
Kingston-upon-Hull	2nd March, 1850.
Leek	17th December, 1857.
Leighton Buzzard	3rd March, 1855.
Linton	7th January, 1854.
Longtown	30th July, 1842.
Loughborough	9th December, 1857.
Lymington	12th January, 1849.
Maidstone	27th February, 1857.
Maldon	7th December, 1847.
Malmsbury	24th January, 1850.
Melksham	30th March, 1847.
Mere	25th February, 1847.
Mildenhall	16th January, 1854.
Nantwich	23rd January, 1843.
Newark	24th January, 1854.
Newbury	14th January, 1848.
New Forest	19th January, 1848.

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Newmarket	30th December, 1846.
Newport (Monmouth)	12th January, 1849.
Newport (Salop)	15th July, 1843.
Newport Pagnell	15th December, 1843.
Newton and Llanidloes	25th June, 1857.
Northampton	28th January, 1848.
North Witehford	24th January, 1854.
Nuneaton	30th December, 1847.
Ongar	22nd June, 1847.
Oxford	18th December, 1848.
Peterborough	18th Mareh, 1851.
Petersfield	2nd June, 1847.
Pontypool	5th June, 1852.
Poole	21st January, 1850.
Portsea Island	18th February, 1858.
Riehmond (Yorks)	9th September, 1842.
Risbridge	21st January, 1850.
Romford	24th January, 1854.
Royston	10th January, 1854.
Rye	9th July, 1842.
Saffron Walden	12th January, 1854.
Shepton Mallet	7th February, 1844.
Skipton	18th June, 1842.
Southampton	15th Oetober, 1845.
South Molton	29th Oetober, 1846.
South Shields	2nd September, 1843.
Spalding	10th Deeember, 1849.
Stoeckton	12th January, 1858.
Stoke-upon-Trent	8th July, 1842.
Stourbridge	21st April, 1845.
Stratton	28th July, 1849.
Sudbury	25th February, 1848.
Taunton	20th January, 1849.
Tavistoeck	21st May, 1847.
Teesdale	15th April, 1848.
Tendring	8th February, 1856.
Thame	11th January, 1847.
Thetford	7th April, 1852.
Thornbury	16th February, 1848.
Tieehurst	4th June, 1847.
Tiverton	22nd May, 1847.
Tonbridge	13th February, 1857.

Torrington	28th November, 1846.
Tynemouth	19th February, 1850.
Uppingham	24th January, 1850.
Uxbridge	5th January, 1848.
Walsall	21st April, 1845.
Wangford	23rd December, 1848.
Ware	2nd March, 1855.
Wareham and Purbeck . . .	10th January, 1848.
Watford	8th March, 1849.
Wellington (Salop	20th March, 1843.
Wellington (Somerset). . .	22nd March, 1847.
Wells	13th March, 1847.
Wem	24th January, 1850.
West Bromwich	21st April, 1845.
Westbury and Whorwelsdown .	5th August, 1842.
West Ham	16th January, 1854.
Whitby	28th November, 1848.
Whitehaven	30th July, 1842.
Wigton	2nd March, 1855.
Wilton	16th December, 1848.
Wincanton	2nd March, 1847.
Windsor	12th January, 1849.
Wirral	3rd May, 1849.
Wisbeach	13th January, 1854.
Witney	1st February, 1848.
Wokingham	30th December, 1846.
Woodbridge	11th June, 1847.
Woodstock	26th January, 1858.
Worcester	20th January, 1849.
Wycombe	9th November, 1849.
Yarmouth, Great	28th February, 1855.

DUTIES OF OVERSEERS ORDER.

To the Guardians of the Poor of the several Unions named in the Schedule hereunto annexed ;—

To the Churchwardens and Overseers of the several Parishes and Places comprised within the said Unions ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes and Places comprised within the said Unions are situate ;—

And to all others whom it may concern.

WE, the Poor Law Commissioners, in pursuance of the authorities vested in Us by an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled "*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales,*" do hereby Order, Direct, and Declare, with respect to each and every of the Unions named in the Schedule hereunto annexed, as follows :—

DUTIES OF THE OVERSEERS.

Art. 1.—If any Overseer of the Poor of any Parish shall, in any case of sudden and urgent necessity (*a*), have given temporary relief to any poor person in articles of necessity, or, in any case of sudden and dangerous illness, shall have given an order for medical relief, the said Overseer shall forthwith report such case in writing to the Relieving Officer of the district or to the Board of Guardians of the Union, and the amount of such relief, or the fact of having made such order.

Art. 2.—If any Overseer of the Poor of any Parish re-

(*a*) See 4 & 5 Wm. IV. c. 76, s. 54.

ceive an Order under the hands and seal of two Justices, according to the provisions of the said Act (*b*), directing relief to be given to any aged or infirm person, without such person being required to reside in any Workhouse, he shall forthwith transmit the same to the Relieving Officer of the district to be laid before the Guardians at their next meeting, that they may be enabled without delay to give to the Relieving Officer the necessary directions as to the amount and nature of the relief to be given.

Art. 3.—If any Overseer receive an order for medical relief from any Justice in case of sudden and dangerous illness (*c*), he shall as soon as may be after complying with such order, report the fact of his having received the same, and the manner in which he has complied with it, in writing to the Relieving Officer of the District, or to the Board of Guardians of the Union.

Art. 4.—To perform such duties in connection with the Election of Guardians for the Union as may be imposed upon the Overseers by any regulations of the Poor Law Commissioners in force at the time (*d*).

Art. 5.—And We do further Order and Direct the Overseers of the Poor of every Parish in the Union—

Firstly.—From time to time to provide *Rate Books* according to the Form (A.) hereunto annexed; and duly and punctually to make the entries therein of the several matters mentioned in the headings of the several columns of the said Form; and to cause every rate for the relief of the poor in the Parish and the allowance of such rate by the Justices, to be recorded in the said Rate Book (*e*).

Secondly.—To pay over from time to time, out of the poor-rates collected, all such sums as by any order of

(*b*) See 4 & 5 Wm. IV. c. 76, s. 27; *Reg. v. Totnes*, 13 L. J. R. (N.S.) M. C. 148; and *Reg. v. Durham*, 4 N. S. C. 437.

(*c*) See 4 & 5 Wm. IV. c. 76, s. 54, and Art. 215, No. 7, p. 165, *ante*.

(*d*) See Arts. 1, 5, and 26 of Consolidated Order, *ante*.

(*e*) The form of Rate Book prescribed by this Order was altered by the Poor Law Accounts Order, *post*, and again by the Order of the 18th November, 1850, *post*, to meet the requirements of the Small Tenements Rating Act, 13 & 14 Vict. c. 99.

the Guardians expressed to them in writing, according to the Form set forth in the Order of the Poor Law Commissioners, bearing date the twentieth day of April instant, shall be directed to be provided from the poor-rates of the Parish; and to pay over such sums to such person or persons, at such times and places as by the same Order shall be directed, and to take the receipt of such person or persons; and to produce such order and such receipt as their vouchers for such payments before the Auditor of the said Union in passing their quarterly accounts (*f*).

Art. 5.—Thirdly.—To submit, within forty days after each of the following days, namely, Lady-day, Midsummer-day, Michaelmas-day, and Christmas-day, to the Auditor of the Union, a distinct account and balance-sheet, exhibiting the amount collected by them and the amount disbursed by them during the previous quarter, together with the proper vouchers for the same (*g*).

(*f*) The Order here referred to has been rescinded by the Consolidated General Order of the 24th July, 1847, Arts. 81, 82, and 83 of which contain the new provisions regarding making of Contribution Orders on the Overseers. For the form in which the Contribution Order is required to be made, see Form M. p. 180, *ante*. The Overseers should be careful to pay money to the Treasurer of the Union, in obedience to an Order of the Guardians of the Union only upon the receipt of the Treasurer himself; as otherwise, if the money be misapplied before it comes into the hands of the Treasurer, the Overseers may be held personally responsible for the amount.

(*g*) This rule is not now in force. By the General Order of Accounts issued by the Commissioners on the 17th March, 1847, Art. 2, the Overseers of every Parish to which that Order is addressed are required to make out a balance-sheet of their receipts and payments for every *half-year*, and to deliver such balance-sheet to the Auditor at the audit of their accounts. By Art. 19 of the same Order, the Overseers are required to make up and balance their books to the 25th day of March, and the 29th day of September, in each year; and by Art. 32, the District Auditors are required to audit the accounts of all the Unions in their respective Districts, and of the Parishes comprised therein, once in every half-year,—that is to say, as soon as may be after the 25th day of March and the 29th day of September respectively.

Fourthly.—To enter in some book, to be from time to time provided for that purpose, the names and addresses of the owners and proxies, who shall send statements of their claims to vote, and the assessment of the poor-rate on the property, in respect whereof they respectively claim to vote, which book may be kept in the Form marked (B.) hereto annexed (*h*).

EXPLANATION OF TERMS.

Art. 6.—Whenever the word “Union” is used in this Order, it shall be taken to include not only an Union of Parishes formed under the provisions of the hercinbefore recited Act, but also any union of Parishes, incorporated or united for the relief or maintenance of the Poor under any Local Act of Parliament.

Art. 7.—Whenever the word “Guardian” is used in this Order, it shall be taken to include not only Guardians appointed or entitled to act under the provisions of the said hereinbefore recited Act, but also any Governors, Directors, Managers, or Acting Guardians entitled to act in the ordering of relief to the poor from the poor-rates, under any Local Act of Parliament (*i*).

Art. 8.—Whenever the word “Parish” is used in this Order, it shall be taken to include any place maintaining its own poor, whether parochial or extra-parochial (*j*).

Art. 9.—Whenever the word “Overseer” is used in this Order, it shall be taken to include any person acting or legally bound to act in the discharge of any of the duties usually performed by Overseers of the Poor, so far as such duties are referred to in this Order.

(*h*) With respect to the duties of the Overseers in relation to the annual elections of Guardians, see Arts. 1, 5, and 26 of the Consolidated General Order of 24th July, 1847, *ante*.

(*i*) This latter definition of the word Guardian has reference to the Incorporations mentioned on the next page.

(*j*) See 20 Viet. c. 19, as to places which were formerly extra-parochial, but which are now parishes for the purposes mentioned in that Act.

FORM (A.)

[This Form is superseded by the Order of the 18th November, 1850, *post.*]

FORM (B.) (*See Art. 1, Fourthly.*)

Book for Registry of Owners of Property and Proxies.

— Union.

Parish of —.

No.	Name of Owner.	Address.	Property in respect whereof right to vote is claimed.	No of reference to Rate Book.	Aggregate Amount of Assessment.	Name of Proxy:	Address of Proxy.	No.	Date on which Claim received.

We do certify that the above is a full and correct register and entry of the claims to vote of owners of Property and proxies in the said Parish.

(Signed)

} Overseers.

Schedule containing the Names of the Unions to which the present Order applies.

(The Unions in this Schedule are those specified in the Schedule to the General Consolidated Order of 24th July, 1847, *ante*, p. 186 [excepting Ashbourne, Farnham, Fulham, and Roehdale], and also Bury St. Edmund's, East and West Flegg, Forehoe, Mutford and Lothingland, and Tunstead and Happing Incorporations.)

Given under our Hands and Seal of Office, this Twenty-second day of April, in the year One thousand eight hundred and forty-two.

(Signed)

G. C. LEWIS.

EDMUND W. HEAD.

A General Order similar to the foregoing was issued on the 11th May, 1842, to the following single Parishes :—

Alston-with-Garrigill.	St. Mary, Lambeth.
East Stonehouse.	St. Mary Magdalen, Bermond-
St. George-the-Martyr, South-	sey.
wark.	St. Mary, Rotherhithe.
St. George-in-the-East.	St. Matthew, Bethnal Green.
St. Giles, Camberwell.	Stoke-upon-Trent.
Liverpool.	Whittlesea, St. Mary and St.
St. Luke, Chelsea.	Andrew.
St. Martin-in-the-Fields.	Great Yarmouth.

On the 22nd February, 1858, a General Order, nearly similar to the foregoing, was issued by the Poor Law Board to the following Parishes, Townships, and Hamlet, namely :—

Parish of Paddington.	Township of Leeds.
Parish of Saint John, Hamp-	Township of Manchester.
stead.	Township of Saddleworth.
Parish of Saint Mary Abbott's,	Township of Toxteth Park.
Kensington.	Hamlet of Mile End Old Town.

And on the 28th April, 1858, a General Order similar to that of the 22nd February, 1858, was issued to the Unions which were declared subsequently to the issue of the General Order of 22nd April, 1842, namely :—

Ashbourne.	Knaresborough.
Barnsley.	Kirkby Moorside.
Barton-upon-Irwell.	North Bierley.
Bedwellty.	Oldham.
Farnham.	Penistone.
Fulham.	Prestwich.
Gower.	Ripon.
Great Ouseburn.	Roehdale.
Hawarden.	Samford.
Hemsworth.	Whitechurch (Salop).
Holyhead.	

* * The originals of the above-mentioned Orders should always be referred to when they are acted upon.

TAXATION OF BILLS OF COSTS ORDER.

To the Clerks of the Peace of the several Counties, Ridings, Divisions, and Places in England and Wales;—

To the Guardians of the Poor of the several Unions and Parishes in England and Wales;—

To the Overseers of the Poor of the several Parishes and Places in England and Wales;—

And to all whom it may concern.

WHEREAS it was enacted by the Act passed in the last Session of Parliament, intituled "*An Act for the further Amendment of the Laws relating to the Poor in England,*" that, on application of any Overseer, or of any Board of Guardians, or of any Attorney-at-Law, it should be the duty of the Clerk of the Peace of the County or Place, or his deputy, if thereunto required, to tax any bill due to any Solicitor or Attorney in respect of business performed on behalf of any Parish or Union situate wholly or in part within such County or Place; and that the allowance of any sum on such taxation should be *primâ facie* evidence of the reasonableness of the amount, but not of the legality of the charge; and that the Clerk of the Peace should be allowed for such taxation after the rate to be fixed from time to time by the Master of the Crown Office, and declared by an Order of the said Commissioners.

And whereas the Master of the Crown Office has fixed the rate of allowance to the Clerk of the Peace in respect of such taxation as herein declared.

Now, therefore, WE, THE POOR LAW COMMISSIONERS, in pursuance of the statute aforesaid, do hereby declare, that the Clerk of the Peace of every County or Place in

England and Wales, shall be allowed for the taxation of every bill due to any Solicitor or Attorney, in respect of business performed on behalf of any Parish or Union, after the rate of *Fourpence per sheet*, or folio, of *seventy-two words* each.

Given under our Hands and Seal of Office, this Twenty-first day of November, in the year One thousand eight hundred and forty-four.

L. S.

(Signed)

GEO. NICHOLLS.

EDMUND W. HEAD.

The attention of the Poor Law Board having been directed to the charges made by some Clerks of the Peace, and their Deputies, for taxing bills of costs due to Solicitors and Attorneys in respect of business performed on behalf of Parishes or Unions, they on the 8th April, 1857, addressed a Circular to those Clerks, in which they stated that as those charges have frequently been in excess of the sums allowed by the established Scale, they deemed it advisable to transmit again to the several Clerks of the Peace a copy of the General Order issued by the Poor Law Commissioners on the 21st November, 1844, in pursuance of the statute 7 & 8 Vict. c. 101, s. 39, and they requested their attention to the terms of the Order in the event of their being called upon thereafter to tax any such bills.

The statute above referred to enacts that on application of any Overseer, or of any Board of Guardians, or of any Attorney-at-Law, it shall be the duty of the Clerk of the Peace of the County or Place, or his Deputy, if thereunto required, to tax any bill due to any Solicitor or Attorney in respect of business performed on behalf of any Parish or Union situate wholly or in part within such City or Place; and the allowance of any sum on such taxation shall be *prima facie* evidence of the reasonableness of the amount, but not of the legality of the charge; and the Clerk of the Peace shall be allowed for such taxation after the rate to be fixed from time to time by the Master of the Crown Office, and declared by an Order of the Poor Law Commissioners; and if any such bill be not taxed before it is presented to the Auditor, the Auditor's decision on the reasonableness as well as to the legality of the charges shall be final. With regard to the latter point, namely, the finality of the Auditor's decision, see *Reg. v. Napton*, 25 L. J. R. (N. S.), Q. B. 296; *Reg. v. Hunt*, 6 El. & Bl. 408; 2 Jur. (N. S.) 1138. See also *Attorney-General v. Shillibeer*, 4 Exch. Rep. 606, as to Solicitor's costs when he is paid by a salary; and *in re Barber*, 14 Mee. & W. 726.

The Clerk of the Peace does not appear to be bound to tax bills of costs, unless some qualified person attend before him to produce papers and give such explanations of the items as may be required. This however would occasion great extra expense, and would not be generally necessary. Usually the bills are forwarded to him for taxation, and any communications required are given by letter. When this is done, it would seem that a reasonable sum may be charged for the extra trouble beyond the sum of 4*d.* per folio fixed by the Order, which was intended to have reference to the taxing merely.

The ratepayers not being persons liable "to pay" within the meaning of the 6 & 7 Viet. c. 73, s. 31 (Attorneys and Solicitors Act), cannot apply for a reference of an Attorney's bill to taxation under the 7 & 8 Viet. c. 101, s. 39, and this Order. See *In re Barber*, 14 Mee. & W. 720.

It has always been the practice of the Master of the Crown Office, on the taxation of bills of costs, to count figures as words; and, in reckoning the charge to be made under this Order, the Clerk of the Peace is entitled to do so likewise.

It has been held that, under the 7 & 8 Viet. c. 73, s. 37, an Attorney's bill for agency business is taxable. *Smith v. Dimes*, 4 Exch. Rep. 32.

POOR LAW ACCOUNTS ORDER.

To the Guardians of the Poor of the several Unions named in the Schedules hereunto annexed ;—

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said Unions ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the Parishes comprised within the said Unions are situate ;—

And to all others whom it may concern.

WE, the Poor Law Commissioners, in pursuance of the authorities vested in Us by an Act of Parliament passed in the fifth year of the reign of King William the Fourth, intituled "*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales,*" do hereby, from the 1st day of May, 1847, rescind all such Orders, and all such parts of any Orders, heretofore issued by the Poor Law Commissioners to the several Unions named in the Schedule F. hereunto annexed, as relate to the keeping, examining, closing, auditing, allowing, and publishing of the Accounts of the said Unions, and of the Parishes therein, and of the Officers thereof, or to the keeping of any Books of Account relating to such Unions or Parishes by any Officer thereof, other than a Chaplain or Medical Officer, or to the accounting of any such Officer to the Auditor, or to any other party, so far as this present Order applies to the keeping of the same or similar Books, and to the accounting of such Officers.

And We do hereby, nevertheless, Order, that until the

Twenty-fifth day of March, 1848, the Guardians of any such Union, and the Officers thereof, and the Overseers of the Parishes therein, may keep their Accounts and Books of Account in the Forms now used by them respectively.

And subject thereto, in every case in which the Poor Law Commissioners shall not assent to a departure from any of the Regulations contained in this Order, and in reference to such of the Officers in the said Unions to whom this Order shall be applicable not yet appointed, as shall from time to time be appointed hereafter, ~~That~~ *do*, from the said First day of May, 1847, ~~Order and Direct~~ as follows :—

KEEPING OF ACCOUNTS.

SEPARATE PAROCHIAL ACCOUNTS.

Overseers.

Art. 1 (*a*).—The Overseers of every Parish in the Union shall (except so far as such Books are kept under their direction by any Collector) punctually enter and accurately keep, the following Books, according to the forms and directions in the Schedule A. hereunto annexed :—

1. A *Rate Book* (*b*).—In this Book shall be inserted the particulars of the assessment and collection of the Poor-rate of the Parish, as set forth in the *Form* numbered 1; and in addition to the declaration re-

(*a*) If a Vestry Clerk has been appointed for the Parish, under the 13 & 14 Vict. c. 57, it will be his duty to assist the Overseers in making out their Accounts whenever required by them; and to examine the Accounts of the Assistant-Overseer or Collector of Poor-rates, and their returns of arrears (see sect. 7 of that Act). By the same section, the Vestry Clerk is required to attend the audit of the Accounts of the Overseers, and to conduct all correspondence arising therefrom, and also to perform other duties, as is therein specified, in connection with those of the Overseers.

(*b*) The form of this book differs from that prescribed by the Commissioners in their General Order, dated 22nd April, 1842, relating to the duties of Overseers, and it superseded that Form.

quired by the Act passed in the 7th year of the reign of King William the Fourth, intituled "An Act to regulate Parochial Assessments," such Overseers shall, before any rate is presented to the Justices for their allowance, sign a declaration, in words at length, of the total amount of the rate so presented for allowance, according to the form or to the effect set forth in the said *Form* numbered 1 (*c*).

2. *A Book of Receipts and Payments* (*d*).—On one side of this Book shall be entered according to the *Form* numbered 2, an account of all moneys received by the Overseers by virtue of their office, on behalf of the Parish, from (1) the Poor-rate (*e*).

And with the proper dates, under some one of the following heads :—

(2.) The rents and profits of lands or tenements belonging to the Parish, and applicable in aid of the Poor-rate.

(3.) The income or profits of other property belonging to the Parish, and applicable in like manner.

(See, however, the Order of the 8th November, 1850, *post*, which prescribes the Form of Poor-rate which is now observed.) The arrears of rates in column No. 2, which are not excused, are to be carried to column 12, headed "recoverable arrears of former rates;" and the sums in that column, and the amount of the new rate as stated in column 11, being added together, will constitute the "amount actually to be collected," to be entered in column 13.—*Instr. Letter*, 17th March, 1847.

(*c*) Further, with regard to the Rate Book, see Articles 1-3 of the Order of 16th March, 1854, *post*.

(*d*) Every transaction, excepting receipts from poor-rate, should be entered under its true date in this Book. Moneys received from the poor-rate cannot be entered in this manner, but the total amount received on account of each rate during the half-year, should be entered in one sum. In the *memorandum* at the foot of the account for the half-year should be entered in respect of each rate—1. the total amount of the rate; 2. the amount legally excused in such rate; 3. the amount not recoverable; and 4, the sum remaining to be accounted for.—*Instr. Letter*. The Auditor should not pass an Account unless the particulars required by the memorandum are inserted.

(*e*) See 43 Eliz. c. 2, s. 1, and 6 & 7 Wm. IV. c. 96, s. 1.

(4.) Payments by the relations of paupers (*f*).

(5.) Payments by the fathers or mothers of bastard children (*g*).

(6.) Payments which may be made to the Parish on account of loans under the provisions of the first-mentioned Act (*h*).

(7.) Repayments made under orders of removal (*i*).

(8.) Relief in kind by Overseers repaid under the authority of the Guardians (*j*).

(9.) Payments made by order of Magistrates, or of any Court, or in consequence of any civil or penal proceedings.

(10.) Proceeds of the sale of lists of claimants or lists of voters (*k*).

(11.) Payments made to the Overseers on behalf of the Parish from other sources, such payments to be specified in detail.

And on the other side of such Book the Overseers shall enter, in like manner, with the proper dates, an account of all moneys paid and expended by them, by virtue of their office, on behalf of the Parish, in respect of any of the following matters :—

(1.) Payments to the Treasurer of the Union under the authority of the Board of Guardians (*l*).

(2.) The contribution on behalf of the Parish to the County (*m*), Borough (*n*), Hundred, Police (*o*), or other rate, payable out of the Poor-rate, when paid by the Overseers to the High Constable, or County or Borough Treasurer.

(*f*) See 43 Eliz. c. 2, s. 7.

(*g*) See 7 & 8 Vict. c. 101, s. 7.

(*h*) See 59 Geo. III. c. 12, s. 29; 4 & 5 Wm. IV. c. 76, s. 58; 12 & 13 Vict. c. 103, ss. 16, 17; 16 & 17 Vict. c. 97, s. 94; 17 & 18 Vict. c. 104, s. 192; and 19 Vict. c. 15, s. 8.

(*i*) See 4 & 5 Wm. IV. c. 76, s. 84.

(*j*) See 4 & 5 Wm. IV. c. 76, s. 54, and 2 O. C. 218; 3 *ib.* pp. 61, 155.

(*k*) See 2 Wm. IV. c. 45, s. 55, and 6 & 7 Vict. c. 18, s. 18.

(*l*) See Art. 81, *ante*, p. 44. (*m*) See 15 & 16 Vict. c. 81.

(*n*) See 4 & 5 Vict. c. 18, s. 1. (*o*) See 3 & 4 Vict. c. 88, s. 5

(3.) Constables' expenses (*p*).

(4.) Costs of any proceedings before Justices (*q*).

(5.) Costs of any proceedings at law or in equity.

(6 and 7.) Cost of removing paupers, distinguishing—1st. Travelling expenses and cost of conveyances; 2nd. Relief and maintenance of the paupers (*r*).

(8.) Relief in kind or medical relief administered by the Overseers to poor persons in cases of sudden and urgent necessity, or sudden and dangerous illness (*s*).

(9.) Repairs or outgoings which may have been lawfully defrayed by the Overseers in respect of lands or tenements belonging to the Parish.

(10.) Payments of principal and interest made by the Overseers in respect of money borrowed and lawfully charged on the Poor-rate.

(11.) Collector's or Assistant-Overseer's salary or poundage (*t*).

(12.) Expenses allowed by Revising Barrister or other competent authority in respect of parliamentary or municipal voters (*u*).

(13.) Cost of preparing Lists of Jurymen (*v*).

(14.) Other charges authorized or required to be paid under any Act of Parliament by the Overseers, and other expenses which may be lawfully defrayed by the Overseers, such charges and expenses to be specified in detail (*w*).

(*p*) See 18 Geo. III. c. 19, s. 4; 27 Geo. III. c. 3; 5 & 6 Vict. c. 109, s. 17; 11 & 12 Vict. c. 91, s. 6.

(*q*) See 13 & 14 Car. II. c. 12; 25 Geo. II. c. 36, s. 5; 58 Geo. III. c. 70, ss. 7, 8; 7 Geo. IV. c. 64, s. 25; 7 & 8 Vict. c. 101, ss. 32, 59.

(*r*) See 4 & 5 Wm. IV. c. 76, s. 84.

(*s*) See 4 & 5 Wm. IV. c. 76, s. 54.

(*t*) See 59 Geo. III. c. 12, s. 7, and 7 & 8 Vict. c. 101, ss. 61, 62.

(*u*) See 2 Wm. IV. c. 45, s. 56; 5 & 6 Wm. IV. c. 76, s. 24; 6 & 7 Vict. c. 18, s. 57.

(*v*) See 6 Geo. IV. c. 50, s. 9.

(*w*) The following may be instanced as expenditure coming

And at the foot of every such account the Overseers shall insert, before each Audit, a "*Memorandum*" in respect of each rate made and allowed by Justices during the half-year, containing the particulars of the amount of the rate allowed, and the amount not received.

Art. 2.—The Overseers of every Parish shall make out, in the *Form* numbered 3, a *Balance-Sheet of the Receipts and Payments* (x) for every half-year, according to the said Receipt and Payment Book; and the Overseers shall deliver such Balance-Sheet to the Auditor, at the Audit of their Accounts, to be by him examined, signed, and delivered to the Clerk of the Guardians as hereinafter directed (y).

Art. 3.—In every case in which there are more than

under this category:—Appeals against Poor-rates (17 Geo. II. c. 38; 12 & 13 Viet. c. 45); Appeals against Orders of Removal (4 & 5 Wm. IV. c. 76, s. 82); Cost of New Valuations, etc., for purposes of Poor-rate (6 & 7 Wm. IV. c. 96, s. 3; 10 & 11 Viet. c. 110, s. 7); Expenses incurred for Sanitary Purposes (18 & 19 Viet. c. 121, s. 7); Burial Boards and Burial Grounds (15 & 16 Viet. c. 85, s. 19; 20 & 21 Viet. c. 81, s. 23); Fire Engines and Ladders (14 Geo. III. c. 78, s. 81).

(x) This Balance-Sheet is to contain the total amount of each class of the Overseers' receipts and payments for the half-year, arranged in the order and under the heads indicated in the *Form*. By Art. 19, the Overseers' books are to be made up and balanced to the 25th of March and the 29th of September in each year.—*Instr. Letter*.

(y) With reference to payments by Overseers, it may here be observed that the general principle applicable to payments out of the poor-rates is that the expenses should be entered in the accounts of the particular Officer who incurs them. Thus, if the Overseers make any lawful payments in respect of paupers under orders of removal, or legally incur the expense of conveying a pauper to the Workhouse, or give relief in any case of sudden and urgent necessity, it will rest with them to enter the same in their accounts.—56 O.C. (N. S.) 68. The Auditor will afterwards have to decide upon the lawfulness of the charge, and allow or disallow it, as the case may be. The 7 & 8 Viet. c. 101, s. 33, renders it illegal for Parish Officers to alter their accounts after being duly made up for audit; when they are laid before the Auditor, it then rests with him to decide upon the legality of every item therein.

thirty ratepayers on the Rate Book, and in which there is no Collector, the Overseers shall, and in other cases the Overseers may, use the following Receipt Check Books:—

1. *A Rate Receipt Check Book (z)*, the leaves of which shall contain the *Form* numbered 4 (a). The receipts and notes thereof shall be numbered consecutively with numbers corresponding with those in the Rate Book, and whenever the amount paid shall not require a stamped receipt the receipt shall be detached from the said Book, and issued to the Ratepayer of such Parish, as and when he shall pay such Rate, and the note shall be retained in the said Book (b).
2. *A General Receipt Check Book (b)*, the leaves of which shall respectively contain the *Form* numbered 5, to be used for any payments made on account of such Parish other than in respect of rates; the receipt, when the amount paid shall not require a stamped receipt, shall be detached and issued to the person who shall make such payment, and the note shall be retained in the said Book.

If the amount paid by any one person for rates, or in aid of the Poor-rate, require a stamped receipt, the receipt directed to be given shall be retained, and a stamped receipt substituted; and a memorandum shall be made on the note of the receipt so retained that a stamped receipt has been given.

No receipt shall be detached from either of the said books until the payment of the money, in respect of which such receipt is to be given, shall have been actually made.

Art. 4.—The Overseers of every Parish shall, whenever

(z) The Overseers are not bound to use these books when there are less than thirty ratepayers on the Rate Book. Collectors, however, being paid Officers, are, in all cases, bound, by Art. 6, to keep the former of these books.—*Instr. Letter.*

(a) This *Form* is superseded by the *Form* in the first Schedule to the Order of the 16th March, 1854, *post.*

(b) With regard to the giving of receipts for Poor-rates, see Art. 4 of the Order of 16th March, 1854, *post.*

they are required so to do by the Auditor for the time being or by the Poor Law Commissioners (*c*), accurately and truly make out a *Terrier* of the lands and tenements, and an *Inventory* of stock, moneys, goods, and effects belonging to such Parish, or given or applicable in aid of the Poor-rates thereof, according to the *Forms* numbered 6 and 7.

Collector.

Art. 5.—Every Collector (*d*) already appointed to or to be hereafter appointed by any Board of Guardians or other persons, under any order of the Poor Law Commissioners, or under the provisions of any Act of Parliament, shall enter up so much of any Books or Forms of the Overseers relating to the collection of the Poor-rate, or the relief of the poor herein prescribed, as he may be directed to enter up by the Overseers for the time being, and shall enter in the Rate Book all such particulars of every assessment as he is directed by such Overseers to enter therein; and every such Collector shall attend before the Auditor at the same time as the Overseers of the Parish for which he acts :

Provided that the signature of any such Collector to any book presented to the Auditor shall not be taken to stand for or supply the place of the signature of any Overseer which may be otherwise required by this our Order.

Art. 6.—Every such Collector shall in all cases fill up and use, as is hereinbefore directed in the case of Overseers of Parishes in which there are more than thirty ratepayers on the Rate Book, a *Rate Receipt Check Book*, in the form hereinbefore prescribed (*e*); and when he shall receive the amount due for Poor-rate on behalf of any Parish or its Officers, he shall, at the time of receiving the same, and not before, give to the person paying

(*c*) Observe that the Terrier and Inventory are only to be made out when the Overseers are required to do so by the Auditor, or by the Poor Law Board.

(*d*) According to Art. 53, the term Collector includes both the Assistant Overseers and Collectors, whether appointed under any Act of Parliament, or any Order of the Commissioners.

(*e*) See note to Art. 3, No. 1, *ante*, p. 309.

such money a proper receipt, as directed in this Order in the case of Overseers, and shall insert in such receipt the true date of the receipt (*f*).

Art. 7.—It shall be the duty of every Collector, before he shall proceed to collect any rate, to prepare receipts in the aforesaid form, numbered both on the receipt and the note thereof with the same number consecutively throughout the Book, and properly to fill in the same respectively with the names of the several ratepayers, and the sum to be collected from each; and to submit such Receipt Check Book, so numbered and filled up to the Overseers of the Parish for which such rate is to be collected, before he proceeds to collect the Rate; and such Overseers shall cause the correctness of the numbering, and the correspondence of the sums and of the names filled in, with the Rate Book to which they relate, to be ascertained; and on the leaf next after the last of the receipts so made out in respect of any one rate, the said Overseers shall certify the fact that such Receipt Check Book has been examined and ascertained to be correct, and shall state in words at length the number of receipts filled up for the rate then to be collected. If upon the closing of any Rate there shall remain in the Rate Receipt Check Book any receipts made out for such rate unused, the Collector to whom such book shall belong shall enter upon each of such receipts the reason of its not having been used, and date and sign such entry.

Art. 8 (*g*).

Art. 9.—Every such Collector shall keep a book to be

(*f*) In Parishes where the number of ratepayers is large, it will be convenient if the Collector leaves a note, properly dated, of the demand for Poor-rate at the house of every ratepayer who may not pay the rate when first demanded. By Art. 8, every Collector was required to pay over weekly all moneys in his hands belonging to the Parish, to the Overseers' Banker, or to one of the Overseers themselves; and whenever, in the course of any week, the sum of money in his hands shall exceed £50, he shall pay over the sum forthwith. See, however, Art. 6 of the Order of 16th March, 1854, *post*.

(*g*) This Article is superseded by Art. 6 of the Order of the 16th March, 1854, *post*.

called the *Collecting and Deposit Book* (*h*), according to the *Form* numbered 8, in which shall be entered accurately, and under their true dates, all sums received and paid over by him as such Collector, and also the number of every receipt given by him out of the said Rate Receipt Check Book (*i*).

Art. 10.—Every such Collector shall make out a *Monthly Statement* (*j*), containing the several particulars set forth in the *Form* numbered 9 (*k*).

The Collector shall attend any of the ordinary meetings of the Board of Guardians, if thereunto required by them.

Art. 11 (*l*).

Art. 12.—In every case in which there shall be more than one Collector employed in the collection of any one rate, the provisions hereinbefore made shall apply to the portion of such rate assigned to each Collector, as if such portion were one entire rate.

(*h*) This book is prescribed for the purpose of showing the amount in the Collector's hands at any time.

(*i*) As to the balancing of this book, see Art. 7 of the Order of 16th March, 1854, *post*.

(*j*) The Collector's *Monthly Statement*, which will be made up from the materials contained in the "Collecting and Deposit Book," is, in pursuance of Art. 10, to be delivered by every Collector to one or more of the Overseers, and by every Collector appointed under an Order of the Commissioners it is also to be delivered to the Board of Guardians. The object of this statement is to inform the Overseers and the Board of Guardians of the state of the Collector's account at the close of each month. The Commissioners request the particular attention of Overseers and Boards of Guardians to the necessity of superintending the proceedings of persons employed in collecting the poor-rates. Full opportunity for doing so will be given by the *statement* now prescribed, and proper vigilance on the part of the local authorities may prevent loss.—*Instr. Letter*.

(*k*) The portion of this Article which is omitted has been superseded by Art. 8 of the Order of 16th March, 1854, *post*, which requires the Collector to balance his Collecting and Deposit Book monthly, and to keep a book for his monthly statements, copies of which are to be forwarded to the Overseers and to the Board of Guardians.

(*l*) This Article is also superseded by Art. 9 of the same Order.

GENERAL ACCOUNTS OF THE UNION.

Clerk's Books.

Art. 13.—The Clerk to the Board of Guardians shall enter in the Minute Book of the Guardians a statement of the books and accounts examined by him, and of all orders drawn on the Treasurer, and moneys paid or received, and all minutes relating to the allocation or division of charges, or any other pecuniary transaction of the Board of Guardians on behalf of the Union, or of any Parish therein; and shall insert marginal notes of reference to the folios of the respective Ledgers in which the items relating to any of such orders, payments, receipts, or other transactions are entered (*m*).

Art. 14.—The Clerk shall punctually enter, and accurately keep, the following Books of Accounts, according to the Forms and directions in the Schedule B. hereunto annexed:—

1. *A General Ledger*, in the *Form* numbered 11, in which items of the various transactions of receipt or payment of moneys by the Guardians (*n*), on behalf of the Union, or any Parish therein, contained in the Minute Book, shall be entered and posted up under the following heads of account, and such additional heads as may be or may from time become necessary;

(*m*) It will be observed that Art. 13 requires the Clerk to set forth in the Minutes, in addition to the proceedings of the Board, a statement of the books and accounts examined by him.

(*n*) One principle laid down in the Order of Accounts is that the cost of maintenance charged should be regulated in each case by the actual number of days during which each parish has had paupers in the Workhouse; but it does not follow necessarily that the cost of each such pauper should be the same. If the Guardians, therefore, think that they can satisfactorily separate the extras from the ordinary expenses of maintenance, so as to correctly distinguish the actual cost of maintaining each of the classes of paupers, the Poor Law Commissioners would offer no objection to that course.—57 O. C. 34.

In-Maintenance (*o*).

Out-relief (*p*).

Non-resident Poor Account (*q*).

Relief by way of Loan (*r*).

Lunatic Asylum Account (*s*).

Extra Medical Fees (*t*).

Emigration Expenses (*u*).

Emigration Loan Accounts (*u*).

Vaccination Fees (*v*).

Registration Fees (*w*).

County Rate (*x*).

Common Charges (*y*).

Building Account (*z*).

Workhouse Loan Account (*a*).

Provisions Account.

Clothing Account.

Parish Property Account.

Invoice Account, or if the Board of Guardians
so direct, Tradesmen's Accounts (*b*).

Non-settled Poor Account (*c*).

Treasurer's Account.

General Balance.

(*o*) See 43 Eliz. c. 2, s. 1.

(*p*) Ibid. and 4 & 5 Wm. IV. c. 76, s. 58.

(*q*) See Arts. 77-80, *ante*, p. 40.

(*r*) See 4 & 5 Wm. IV. c. 76, s. 58. (*s*) See 16 & 17 Vict. c. 97.

(*t*) See 4 & 5 Wm. IV. c. 76, s. 46, and Art. 177 of Commissioners' Order, *ante*, p. 112.

(*u*) See 4 & 5 Wm. IV. c. 76, s. 62; 7 & 8 Vict. c. 101, s. 29.

(*v*) See 3 & 4 Vict. c. 29; 4 & 5 Vict. c. 32; 16 & 17 Vict. c. 100; and 21 & 22 Vict. cc. 25 and 97.

(*w*) See 6 & 7 Wm. IV. c. 86, s. 29; 7 Wm. IV. & 1 Vict. c. 22, ss. 25 and 27.

(*x*) See 15 & 16 Vict. c. 81. (*y*) 4 & 5 Wm. IV. c. 76, s. 46.

(*z*) See 4 & 5 Wm. IV. c. 76, s. 24. (*a*) *Ibid*.

(*b*) With regard to the "Invoice Account," or "Tradesmen's Accounts," the Commissioners recommend that the Invoices entered in the Master's *Day Book* (Form 24) should be posted, either to the credit of an "Invoice Account," or, if the Board of Guardians so direct, to the credit of separate "Tradesmen's Account," and to the debit of the "Provisions Account," the "Common Charges Account," or such other proper accounts as each case may require.—*Instr. Letter*.

(*c*) See Arts. 77-80, *ante*, p. 40.

With the respective dates of such transactions, and references to the folios of the Minute Book, in which the entries relating to such transactions are contained, and to the folios of the corresponding credits and debits respectively.

He shall keep an Account in such Ledger, or in a separate Ledger, to be called *The Parochial Ledger* (d), with every Parish in the Union, in the *Form* numbered 12, and containing the particulars set forth therein.

He shall keep another Account in such Ledger, or in a separate Ledger of the same form, to be called *The Non-settled Poor Ledger*, with every other Union and Parish chargeable with relief to non-settled Poor; and every such Account shall be debited with the amounts to be charged against, and credited with the amounts discharged by, such Union and Parish (e).

(d) The Parochial Ledger is intended to contain the accounts of the several Parishes with the Union, to the debit of which accounts are to be posted the portions of the several classes of expenditure chargeable to such Parishes; and to the credit of which are to be posted the contributions paid by the Overseers to the Treasurer of the Union, and any other sums to the credit of which the Parishes may be entitled, such, for example, as balances struck by the Auditors, and paid over to the Treasurer, in pursuance of 7 & 8 Vict. c. 101, s. 32. The Parochial Ledger will be adopted in such Unions only as contain a sufficient number of Parishes to make it desirable to do so. In small Unions it will, probably, be found most convenient to open accounts with the several Parishes in the General Ledger. The several items in the Parochial Ledger are to be printed and numbered, in precisely the same order as they appear in the Financial Statement (Form 17). This will greatly facilitate the making up of the statement, and will materially contribute to the accuracy of this branch of the accounts.—*Instr. Letter.*

(e) The Commissioners think that it may be found convenient in Unions, in which there are accounts for relief to non-settled poor against many other Unions, to keep such accounts in a separate Ledger, so that the account against each of such Unions for several years may appear at one view, and also be separated from the General Accounts of the Union advancing the relief. With regard to the necessity for keeping the Parochial Ledger, and the Ledger for Non-settled Poor in separate books, the Clerk

2. *The Relief Order Book (f)*, in which shall be entered the names of all the paupers to whom relief is ordered or allowed, together with the relief ordered or allowed in each case, and the other particulars set forth in the *Form* numbered 13.
3. *The Order Check Book (g)*. This Book shall be kept according to the *Form* numbered 14, the leaves of which shall contain all orders given by the Guardians for provisions, stores, repairs, and for other articles or work, and notes of such orders, and forms of the invoices to accompany commodities supplied, or to be delivered when work is done; such orders, when signed by the Clerk, together with the form of invoice, shall be detached from the said Book, and issued to the tradesmen or other persons dealt with or employed; and such notes, certified by the Clerk's initials, shall be retained in the said Book.
4. *The Pauper Classification Book (h)*, in which, at the end of every half-year, shall be entered, in the *Form* numbered 15, in the columns appropriated for that purpose, the number of persons of each class relieved during the half-year, and the other particulars set forth therein.

will take the directions of the Board of Guardians. No extra trouble will be imposed upon him by the mere separation of the books.—*Instr. Letter.*

(*f*) The Relief Order Book is to contain entries of those cases in which the Board of Guardians order relief to be given, or allow relief provisionally given by the Relieving Officers. It will not be necessary that minutes of any orders for relief entered in this book should be entered also in the ordinary Minute Book, but minutes may be made therein referring to the particulars recorded in this book; care should be taken that the entries in this book correspond with those in the *Application and Report Book* (Form 33), on which it is a check, the latter being ordinarily in the custody of the Relieving Officer.—*Instr. Letter.*

(*g*) This book is to be used in every case in which orders are given by the Board of Guardians, for articles to be supplied, or for work or repairs to be done.—*Instr. Letter.*

(*h*) This book is to be made up from the Statistical portion of the In-door and Out-door Relief Lists, the Non-resident Poor Accounts, and the Medical Relief Books. The numbers of paupers

WORKHOUSE ACCOUNTS.

Master's Books.

Art. 15.—The Master of every Workhouse of the Union shall punctually enter up and accurately keep the following Books and Accounts, according to the Forms and directions in the Schedule C. hereunto annexed.

1. *An Inventory (i).* In this Book shall be entered, in the *Form* numbered 20, a list of all the fixtures, furniture, utensils, bedding, house linen, and other effects in the Workhouse, and the stock and other like property belonging to the Union, in the Workhouse, not included in the Provisions and Clothing Books, and every particular relating to the use, sale, or disposal thereof; and such Book shall be completed from time to time by the entry of articles purchased or otherwise obtained, and of articles condemned as worn out, sold, or otherwise disposed of by the direction of the Board of Guardians.
2. *The Admission and Discharge Book (j).* In this Book shall be kept, in the *Form* numbered 21, an account of every pauper admitted into, and of every pauper discharged from the Workhouse, and such account shall be balanced weekly, or daily if the Board of Guardians so direct.

belonging to each Parish of the several classes relieved in the half-year being brought together in this book, will constitute the materials for making up the *Statistical Statement* (Form 16), which the Clerk, by Art. 23, is required to transmit to the Poor Law Board. See Articles 21 and 22, and the Notes at the foot of the Form.—*Instr. Letter.* It should also include Lunatics in Asylums or Licensed Houses.

(i) Bedding and house linen are to be entered in this book in addition to fixtures, furniture, utensils, and other effects.—*Instr. Lr.*

(j) This Book is so arranged as to show the numbers in the Workhouse at each meal, of the several classes into which the paupers are distributed in the "Daily Provisions Consumption Account" (Form 25.) It will show also the number attached to the pauper's own clothes when they are put aside upon his admission, and also marked on the clothes given out to such pauper. Under the same number his name will be found in the "Clothing Register Book" (Form 32).—*Instr. Letter.*

3. *The In-door Relief List*, in which shall be entered, for each Parish of the Union, in the *Form* numbered 22, the names of the paupers chargeable thereto, with the number of days in each week, and in the half-year, during which each such pauper has been in the Workhouse, and the other particulars set forth in the said form.
4. *The Abstract of the In-door Relief List*, in which shall be entered, in the *Form* numbered 23, the aggregate number of days in each week, and in the half-year, passed in the Workhouse by the paupers of each Parish, and the total number of such days for all the Parishes in the Union, for each week and for the half-year.
5. *A Day Book (k)*, in the *Form* numbered 24, on the one side of which shall be entered the amount of the invoices of all goods delivered at the Workhouse, together with the several particulars relating thereto, in the said *Form* set forth, and on the other side a true account, with the proper dates, of all sums of money received and of all sums of money expended by the Master.

The invoices shall be entered and numbered in the order in which they are received, and shall be filed and preserved in the same order.

6. *The Daily Provisions Consumption Account (l)*. In this Account shall be entered, in the *Form* numbered 25, the number of paupers of the several classes at each meal in the Workhouse, and the quantities of the principal articles of provisions daily consumed by them.

(k) This Book is provided in order that the Master may record all the invoices of goods supplied, and of work done at the Workhouse. It also furnishes a cash account in which the Master is to enter all his receipts and payments. By Art. 18 the Clerk is required to examine the entries in this Book, and to see that all the goods supplied are carried by the Master to the proper accounts in his books. It will be the Clerk's own duty to carry them to the proper accounts in the Ledger.—*Instr. Letter.*

(l) This Account is introduced to facilitate the ascertaining of the quantities of the several principal articles of cooked or pre-

7. *The Weekly Provisions Consumption Account (m).* In this Account shall be entered, in the *Form* numbered 26, the quantities of the principal articles of provisions consumed by the paupers in the Workhouse; and also the quantities taken from the stores for the officers and servants of the Workhouse in each week.

pared provisions required, according to the Diet Table, for each meal; and also to record these quantities, together with the quantities of the articles in the form in which they are received into the House, that is, in their raw or unprepared state. It is essential that the Master should record the actual consumption of the raw provisions taken out of store and not returned thereto, rather than enter as the quantities consumed a mere weekly estimate or calculation made with reference to the Diet Table.—*Instr. Letter.* With regard to the charge of the cost of any extra diet given to the sick inmates of the Workhouse, see note *n* to Art. 14, *ante*, page 313.

(*m*) This Account is prescribed for the purpose of collecting together, in weekly totals, the quantities in their raw or unprepared state, of the several articles which appear by the "Daily Account" to have been used during each week. The weekly entry for such of the sick as have not the ordinary house diet, will be checked by the diet and the amount of extras, every article of which for the week should be entered opposite each name in the *Workhouse Medical Relief Book*. The blank columns in that book may be used for the entry of the articles of an ordinary kind not mentioned in the printed headings.—*Instr. Letter.* Though the Forms as set forth in the Order of Accounts are framed to meet the common ordinary supply of relief, and, therefore, the Master's books apply to the supply of provisions to the in-door poor, there is nothing to prevent the introduction of other matters into the books, where provisions are supplied to other paupers. The Commissioners see no objection to the Master inserting the quantity of provisions given out of the Workhouse stores during every week for out-door relief in Form 26, after the entry for the sick, and in such case the total to be carried to the "Provisions Receipt and Consumption Account" (Form 27) will consist of the quantities consumed in the house, and that consumed in out-door relief; or, if it be considered more convenient, an intermediate total, showing the quantity of provisions consumed in the house, as in the old Forms, might be made. To that must then be added the amount expended in out-door relief, and the gross total will then go on, through Forms 27 and 28; the value of the whole amount when carried to the Ledger will, as heretofore, be distributed between in-maintenance and out-door relief, according to the separate amounts.—9 O. C. (N.S.) 130.

8. *The Provisions Receipt and Consumption Account (n).*
In this Account shall be entered, in the *Form* numbered 27, the quantities of the several articles of provisions and necessaries received and consumed weekly, and the quantities on hand at the commencement and end of every week, and the other particulars in such *Form* set forth.
9. *A Quarterly Summary of Provisions Received and Consumed.* This Summary shall be made up in the *Form* numbered 28, from the said Provisions Receipt and Consumption Account, and shall be completed quarterly.
10. *A Quarterly Balance of the Provisions Account (o).*
In this Account shall be entered, in the *Form* numbered 29, the total quantities and values of the several articles of provisions received and consumed in the quarter; and also the quantities and values of the several articles in store at the beginning and end of the quarter, and the other particulars in such *Form* set forth.
11. *The Clothing Materials Receipt and Conversion Account (p).* In this Account shall be entered, in the *Form* numbered 30, a statement of all the articles of clothing materials and of bed and house linen (not made up), from time to time received into the Workhouse, and the several particulars of their conversion, and the other particulars in such *Form* set forth.

(n) A considerable saving of time and labour to the Master will be effected, by requiring the calculations of the money value of the quantities of the several articles entered in this Account to be made quarterly instead of weekly.—*Instr. Letter.*

(o) This *Form* is similar to that of the "Provisions Receipt and Consumption Account," excepting that money columns are added for the purpose of introducing the calculations referred to in the notice of that Account. Should this Account not balance on the first trial, it will at once be seen, by comparing the columns of totals, in reference to which article the error has arisen; and by tracing backwards the entries relating to that article, the error will readily be detected.—*Instr. Letter.*

(p) This Book will be in the nature of a *Dr.* and *Cr.* account of every article of materials for clothing and bed and house linen.

12. *The Clothing Receipt and Expenditure Account (q).*

In this Account shall be entered, in the *Form* numbered 31, on the one side the several articles of clothing received from tradesmen or made up in the house, and on the other side the several articles given out, together with the numbers marked thereon.

The articles shall, as far as practicable, before they are given out, be numbered in suits, so that all the articles of a suit shall bear the same number.

The numbers shall begin with No. 1, and follow each other consecutively; but whenever any article shall have been condemned or cut up for use in mending other articles, its number may be marked on a new article of the same description.

The last two Accounts, namely, *The Clothing Materials Receipt and Conversion Account*, and *The Clothing Receipt and Expenditure Account*, shall be made up, balanced, and compared with the stock in store at the end of every half-year, when the accounts of the Union are closed, as hereinafter mentioned, and at such other times as the Board of Guardians may require.

13. *The Clothing Register Book (r).* In this Book shall

The Account will be debited with the several articles of materials supplied to the Workhouse from time to time, and credited with the quantities of such materials from time to time converted into clothing or bed and house linen.—*Instr. Letter.*

(q) The number of articles of clothing of each description purchased, or made up in the House, is to be entered in the proper column of this Account, when purchased or made up. It will be seen that clothing is to be numbered in suits before it is given out. A suit for a man will probably consist of one coat, one waistcoat, one pair of trousers, two shirts, a pair of shoes, two pairs of stockings, one hat, and two handkerchiefs, all of which will bear the same number. When a suit is given out, the number marked thereon is to be entered in the column appropriated for that purpose, and the number of articles of each description comprised in the suit is also to be entered in the proper columns. This account being balanced at the end of the half-year, will show the numbers of the several new articles remaining in store.—*Instr. Letter.*

(r) At the head of the several columns of this book, numbers will be inserted beginning with Number 1, and following each other consecutively; and when a suit of clothes is given out, the

be entered, in the *Form* numbered 32, under the number marked on the suit of clothes given out to each pauper admitted into the Workhouse, the name of the pauper, together with the date of his or her admission and discharge; and a ticket bearing such number shall be attached to the pauper's own clothes.

name of the person to whom it is given, with the date of his admission, will be entered under the number marked on the suit. In addition to this number, another number indicating the size of the suit, is to be inserted in the space set apart for it. When the person to whom the suit was given out is discharged, the date of his discharge is to be entered, and such entry will show that the suit is available for any other person whom it may fit; and the name of the other person to whom the same suit is given out will be entered under the previous name. When any article of a suit is worn out, another article of the same size and description is to take its number, and be substituted for it. This article will, of course, be entered in the Clothing Receipt and Expenditure Account, in the manner already explained. The number should on no account be stamped on a conspicuous part of the garment, but it should be so placed as not to be visible when the garment is worn. The principle on which the charge for clothing is to be distributed, like that on which the charge for provisions is distributed, is the collective number of days during which the paupers of each Parish have been maintained in the Workhouse. It is difficult, however, to estimate accurately the wear and tear of clothes, some of which last a longer and some a shorter time. The Commissioners believe that the most common, although not the most accurate plan is, to charge against the Parishes whose paupers have been received into the Workhouse during the quarter, the cost of all new clothing given out of store (not all new clothing purchased) in the course of that quarter (see 57 O.C. 34). Thus, the balance of the Clothing Account carried on represents the value of the new clothing in store, and what has been given out (though the Master is of course bound to account for it, to preserve it, and to use it) is charged when it is given out *once for all*. The Commissioners believe that it is a general rule that if the cost of clothing exceeds a halfpenny a day, inquiry should be made into this department of the accounts. It will be for the Guardians to approximate as nearly as possible to the principle of the Poor Law Amendment Act, that each Parish should bear the cost of the relief afforded to the poor chargeable to it in the Workhouse, and the Commissioners do not prescribe the adoption of any one particular method of arriving at the result; but what they do prescribe is uniformity in the mode in which the facts are recorded, and the books are to be kept, so that it may always be possible to obtain the necessary data for ascertaining how far the charge made is a proper charge.—*Instr. Letter.*

In addition to the number marked on the clothes, the Master shall insert in the said Book a number to indicate the size of the suit.

Art. 16.—So much of this Order as relates to the duties of the Master of the Workhouse shall be applicable to and be binding upon the Matron of any Workhouse not having a Master; and also to and upon the Matron or other person having the charge of any Workhouse during the temporary absence of the Master.

OUT-DOOR RELIEF.

Relieving Officer's Books (s).

Art. 17.—The Relieving Officer of every district in the Union shall punctually enter up and accurately keep the following Books and Accounts, according to the Forms and directions in the Schedule D. hereunto annexed:—

1. *The Application and Report Book (t).* In this Book shall be entered, in the *Form* numbered 33, the applications made from time to time through the Relieving Officer for relief, and such of the particulars therein set forth as, on making the requisite examination into the circumstances of the case, he shall collect, as well as the medical relief or relief in kind (if any), already given by the Relieving Officer at his discretion, or reported to him to have been given by an Overseer of the Poor.

A note of the decision or direction of the Board of Guardians shall be inserted at the Board, and authenticated by the initials of the Chairman or Clerk, in the column contained in the *Form* for this purpose.

2. *The Out-door Relief List.* In this Book shall be entered, in the *Form* numbered 34, the sums of relief in money, and the value of relief in kind, given by the Relieving Officer to or for each pauper relieved by

(s) In some few extensive Parishes an Officer termed "Pay-Clerk of the Poor" is appointed under the authority of an Order of the Poor Law Board, as to which see *post*.

(t) The notes at the foot of the *Form* contain full instructions as to the manner in which this book should be kept.

him in each week. The entries shall include only relief given to the pauper himself, or to some person properly authorized to receive it, and shall be made after the relief has been actually so given, and not before or otherwise. In this Book shall also be entered, in the proper columns, the number of individuals of any of the several classes relieved in each case, and the other particulars in such form set forth. The Relieving Officer shall enter up this Book every week, and shall complete the same at the end of every half-year, taking care that no pauper appear in such Relief List more than once in the half-year.

3. *The Abstract of the Out-door Relief List (u)*. In this Book shall be entered, in the *Form* numbered 35, the names of the several Parishes of the Union, and opposite to the names of such Parishes, the amount of relief charged against them weekly in the Out-door Relief List. And such entries shall be made on the days of the ordinary meetings of the Board of Guardians, and the Book shall remain in the custody of the Clerk.
4. *The Receipt and Expenditure Book (v)*. In this Book the Relieving Officer shall keep, in the *Form* numbered 36, an account of all moneys received and disbursed by him, and of all tickets or orders for relief

(u) This Abstract is to be made up at the meetings of the Board of Guardians, and left in the custody of the Clerk, in order that he may possess a duplicate of the out-door relief account against each Parish, in the event of the "Out-door Relief List" itself being lost or destroyed.—*Instr. Letter*.

(v) The weekly accounts in money and in kind will not be entered separately in the "Receipt and Expenditure Book," as will appear by the "Out-door Relief List" from which they are posted. The relief in money and in kind, which are carried out separately in the "Out-door Relief List" at the end of each quarter, will be entered separately in the quarterly *Summary* in which the Relieving Officer's money account, and account of relief in kind, will be balanced separately. With regard to relief to *Non-Resident* and *Non-Settled* poor, it should be observed of *Non-Resident* relief that it is of two kinds—namely, that which is paid through the Relieving Officer of the Board allowing it, and that which is paid by an order on the Treasurer or other means, as prescribed by the

in kind issued by him, and also of all articles received and given out by him for the relief of the out-door poor of each Parish in his district; and he shall balance such account weekly. In this Book the Relieving Officer shall also enter, at the end of every quarter's account, a *Summary of Receipts and Expenditure* for the quarter, in the *Form* numbered 37.

EXAMINATION AND CLOSING OF ACCOUNTS.

Art. 18.—On the day of every ordinary meeting of the Board of Guardians, or on the day next before it, unless such day shall be Sunday, and then on the previous Saturday, the Clerk shall examine the Master's Day Book, and shall compare the entries of invoices with the invoices themselves, and shall see that all the goods supplied are carried by the Master to the proper accounts, and shall certify the correctness of the same by his initials. He shall also compare the entries of payments, in the Receipt and Payment Account therein, with the vouchers, and ascertain that the Master has debited this Account with all sums received by him, and shall insert his initials at the foot of such Account. And he shall inspect the other Books required to be kept by the Master by this Order, so as to ascertain that they are properly kept.

Commissioners. In the first case the pauper's name will appear in the "Out-door Relief List," as a matter of course, and will be charged by the Relieving Officer to the Parish in the same manner as relief to a resident pauper. In the second case, the Relieving Officer will have nothing to do with the matter, and the relief will ultimately be a credit to the Treasurer, and a debit to the Parish against which it is charged in the "Parochial Ledger." *Non-Settled Relief*, so far as it appears in the accounts of the Union by the Officers of which it is advanced, will be entered in a separate account, in the "Out-door Relief List," by the Relieving Officer who pays it, and will not be carried into any account against a particular Parish. Accounts should be opened in the Out-door Relief List for the several Unions to which the non-settled poor in the Relieving Officer's district belong; and the relief of such poor should be entered in such accounts in the same manner as the relief to the settled poor is entered under their several Parishes.—*Instr. Letter.*

The Clerk shall also examine the weekly accounts in each Relieving Officer's Out-door Relief List, Abstract of the Out-door Relief List, and Receipt and Expenditure Book, so as to ascertain the accuracy of the entries therein, and shall certify the correctness of the same by his initials.

And the Master and Relieving Officer shall respectively, under the direction of the Board of Guardians, present their Books and Accounts to the Clerk for his examination on such day as aforesaid (*w*).

Art. 19.—The Overseers of every Parish, and every Collector acting for any Parish, shall make up and balance to the 25th day of March and the 29th day of September in each year, all such Books as they are required, by the Act passed in the 8th year of the reign of her Majesty Queen Victoria, intituled “*An Act for the Amendment of the Laws relating to the Poor in England*,” to deposit for the inspection of the Ratepayers at some house within the Parish seven days at least before the audit.

Art. 20.—All the Accounts of the Union and of the Officers of the Union shall be closed at the end of every half-year, that is to say, up to the 25th day of March and the 29th day of September in each year, or the end of the week nearest thereto. And the several Officers keeping such Accounts shall forthwith lay, or cause to be laid,

(*w*) All that the Clerk is required to do in reference to the Master's Accounts, is to see that he has made the proper entries in the “Day Book,” and has given credit in the proper books and accounts for all the goods supplied at the Workhouse. The examination of the Relieving Officer's Accounts the Commissioners consider indispensable. The examination, both of the Master's and the Relieving Officer's Accounts, may be made on the day, or on the day before the day of the Guardians' meeting.—*Instr. Letter*. At the Clerk's weekly examination of the accounts of a Relieving Officer it is necessary to require vouchers for all payments which are alleged to have been made; and in the absence of a voucher the Clerk cannot certify to the correctness of the Officer's accounts in accordance with the Order. The vouchers will of course be returned to the Officer, to be produced by him before the Auditor, and also to the Guardians, in accordance with Article 216 of the Consolidated Order. Further, with regard to this Article, see note (*s*) to Article 202, No. 2 of the General Consolidated Order.

their respective Accounts so closed before the Board of Guardians (x).

Art. 21.—The Master of the Workhouse shall, at the end of every half-year, allow each Relieving Officer to inspect the In-door Relief List for the half-year last expired.

And each of the Relieving Officers shall, within fourteen days after the end of the half-year, inspect the names entered in such In-door Relief List, and shall affix a mark in red ink against the name of every pauper who shall have been entered in the Out-door Relief List in the course of the said half-year.

Art. 22.—The Clerk or Medical Officer in possession of the District Medical Relief Books shall, at the end of every half-year, allow each of the Relieving Officers to inspect such Books; and each of the Relieving Officers shall, within fourteen days after the end of the half-year, inspect the names in such Books, and shall affix a mark in red ink against the name of every pauper who shall not have received any other relief during the last half-year than medical relief.

Art. 23.—The Clerk shall, under the direction of the Board of Guardians, prepare from the Accounts of the Union,—1. A Statistical Statement showing the number of paupers of all classes actually relieved in the course of the last half-year, and the other particulars, according to

(x) This Article is to be understood as having reference to the meeting of the Guardians, in which cases the accounts are closed up to the day of such meeting. This course the Board consider to be the more correct, and at the same time the more convenient; and they recommend that it should in future be adopted in all cases. But it must be observed that where the meetings of the Guardians are held fortnightly, the week's accounts should be closed at the end of the half-year, although there be no meeting of the Guardians in the week.—*Instr. Letter*, 15th March, 1856. The week, moreover, should terminate on the day preceding the meeting of the Guardians, and the expression “up to the 25th day of March and the 29th day of September,” is to be read *inclusively*, and refers to the day of closing falling either before or after those dates. The day of meeting of the Guardians is always to be excluded; and the whole of the Union Officers should close their accounts on the same day.

the *Form* and directions in the said Schedule B, numbered 16; and—2. A Financial Statement showing the accounts of the Union for the last half-year in the *Form* in the said Schedule B, numbered 17 (y); which statements the Clerk shall submit to the Auditor at the time of his auditing the Union Accounts.

The Auditor, if satisfied of the correctness of such Statements, shall sign the same; and after they have been signed by the Auditor, the Clerk shall transmit them to the Poor Law Commissioners, and shall make a duplicate of the Financial Statement, which shall also be signed by the Auditor, and shall be preserved by the Clerk for the use of the Board of Guardians.

(y) In this statement, under the head of "Principal Particulars of the Common Charges," the amount of relief to irremovable poor should be inserted according to the following example:—

		£	s.	d.
Expended for Relief to Irremovable } Poor	In-maintenance	5	0	0
	Out-relief	20	6	0
Total . .		£25	6	0

		£	s.	d.
Expended for Relief to Desti- } tute Wanderers and Way- } farers and Foundlings	In the Workhouse.....	3	2	6
	Out of the Workhouse	20	5	0
Total . .		£23	7	6

Relief to these classes of poor must not be entered in any other column than No. 13, where the total will appear, included among the common charges. Paupers charged to the common fund should be entered in the Statistical Statement, Form 16, under those of the Parishes in the Union.—*Instr. Letter*, 23rd April, 1849. The Board recommend that repayments from the Treasury of the Medical Officers' and Schoolmasters' and Schoolmistresses' Salaries should be deducted from the gross amount of the Common Charges, and the balance divided among the several Parishes in the Union, according to the averages. The sums must appear in the column of the Statement appropriated to them, and at the foot of it should be entered the amount received from the Treasury in one sum. In order that the two sides of the Account may balance, the same sum must be entered on the Receipt side of the Statement. The amount of salaries due to *each* of the paid Officers for the half-year should be inserted at the foot of the Statement on the left-hand side, and the

Art. 24.—The Clerk shall, as soon as he shall receive notice from the Auditor of the day or days appointed by him for the auditing of the half-yearly accounts of the Union, and the several Parishes comprised therein, cause the following notice to be affixed on the external gate or door of every Workhouse in the Union, or at some other place or places where Union notices are usually affixed, and shall continue the same so affixed until the Audit is completed:—

“ ——— Union.

“ Notice is hereby given, that the Half-yearly Statement of the Accounts of this Union, together with the *Relief Order Book* and the *Ledgers*, will, on the day of be deposited at ; and such Statements and Books will be open to be inspected, examined, and copied by any Owner of Property or Ratepayer in the said Union, at any reasonable hour in the day-time, when the Board of Guardians is not sitting, until the day of ; and that on the last-mentioned day, at the hour of the Accounts of the Union will be Audited by the Auditor of the District comprising this Union, at when and where every such Owner or Ratepayer in the Union, who may have any objection to any matter contained in the above-mentioned Accounts,

Total carried to the opposite side and placed under “Principal Particulars of the Common Charges” as “Amount of Salaries and Rations brought forward.” All the other items charged to the Common Fund should be entered here, so that under the title “Other Expenses charged to the Common Fund,” shall be collected such small disbursements as are too minute to be separately particularized, and thus the result may agree with the Total of the column No. 13. Care should be taken that items of Receipt and Expenditure placed in the columns “Other Receipts,” or “Other Separate Charges,” are specified so as to show from what source the receipt was derived, or for what purpose the amount was expended. Sums expended for Relief to Irremovable Poor, and for Relief to Destitute Wanderers and Wayfarers should always distinguish between the relief to *In-door* and *Out-door* Poor.—*Instr. Letter*, 15th March, 1850.

may attend, and prefer his objection, and the same will be heard by the Auditor.

“Dated

“Clerk to the Board of Guardians.”

Art. 25.—The Clerk shall, three clear days before the day appointed for auditing the Union Accounts, deposit the said Half-yearly Statement of the Accounts of the Union, together with the Relief Order Book and Ledgers, in the Board Room of the Guardians of the Union, or such other place as the Board of Guardians may appoint, and shall permit the said Statement, Book, and Ledgers to be inspected, examined, and copied by any Ratepayer or Owner of Property in the Union, in the presence of the Clerk or some other person approved of by the Board of Guardians, at any reasonable hour in the day-time, when the Board of Guardians shall not be sitting, after the said Statement, Book, and Ledgers shall be so deposited, and previous to the day appointed for the auditing thereof.

Art. 26.—In case the auditing of any of the said Union or Parish Accounts shall be adjourned for any longer period than from day to day, the Clerk, on receiving from the Auditor notice thereof, shall affix, in manner aforesaid, notice of the time and place of such adjournment, and of the Accounts remaining to be audited, as often as such adjournment shall be made (z).

Art. 27.—Within fourteen days after the 25th day of March and the 29th day of September in every year, the Clerk, without waiting for the completion of the said statements or for the audit, shall transmit to the Poor Law Commissioners the following particulars for the half-year just ended as computed by him at the time (zz):—

(z) See note to Art. 40, *post*.

(zz) The attention of the Clerks is particularly directed to this Article, which requires them to furnish to the Commissioners the half-yearly totals of certain heads of expenditure within fourteen days after the 25th day of March and the 29th day of September, without waiting for the completion of the above-mentioned statements, or for the Audit. The Commissioners' object is, that the materials for estimating the amount of the relief in the preceding

1. Total amount of out-door relief for the whole Union in the half-year just ended.
2. Cost of in-maintenance of paupers in one sum for the whole Union in the half-year just ended.
3. Amount of the Cost of Maintenance of Workhouse establishment, salaries, and all other common charges distributed according to the averages for the time being (*a*).
4. Amount of any salaries paid by the Guardians not charged according to the averages.
5. Amount of principal of loans repaid, and the interest thereon.

Art. 28.—Within fourteen days after the conclusion of the audit of the Accounts of the half-year ending the 25th day of March in every year, the Clerk shall make up in duplicate, from the Balance Sheets of the Receipts and Payments of the Overseers, an Abstract of the separate Accounts of each Parish, for the year ending on such 25th day of March, according to the *Form* and directions given in the said Schedule B, numbered 18 ; and one copy of such yearly Abstract shall be signed by the Clerk, and transmitted to the Poor Law Commissioners, and the other copy, signed also by the Clerk, shall be laid before the Board of Guardians, and preserved with the papers belonging to the Union (*b*).

Art. 29.—Every Master of a Workhouse shall, within seven days after the end of each half-year, insert in the proper columns, according to the *Form* in Schedule B, numbered 19, called the *Parochial List and Statement of Account* for every Parish in the Union, or, with the consent

half-year, may be accessible without waiting for the completion of the Audit.—*Instr. Letter.*

(*a*) This means all other expenditure immediately connected with relief, such as expenses incurred in emigration, salaries, extra medical fees, etc. ; but not expenses regarding settlements, law proceedings, or the removal of the poor.

(*b*) The operation of this Article has been suspended by a General Order of the Poor Law Board, dated 28th April, 1858. In the Circular of the Poor Law Board, forwarding the Order, they state that it will still be incumbent on the Clerks to preserve the balance sheets.

of the Board of Guardians, in a separate list containing similar columns, to be called the *Parochial List of In-door Poor*, the name of every pauper chargeable to every such Parish during the previous half-year, together with the number of days each pauper has been maintained in the Workhouse; and every Relieving Officer shall, within fourteen days after the end of each half-year, enter in the proper columns of the said *Parochial List* for every Parish in his district, or, with the consent of the Board of Guardians, in a separate list containing similar columns, to be called the *Parochial List of Out-door Poor*, the name of every pauper contained in the Out-door Relief Lists for the previous half-year, together with the amounts of relief in money and in kind charged as given to each pauper.

Such Parochial Lists, when filled up by the Master and Relieving Officers respectively, shall be delivered by them to the Clerk, who shall examine the entries made therein, and shall certify to the accuracy thereof by his signature. The Clerk shall also make out, in the form given at the foot of such Parochial List, a complete statement of the account of each Parish with the Union, and shall sign the same.

Art. 30.—The Relieving Officers of the Union shall, within thirty days after the end of each half-year, under the direction of the Board of Guardians, or of the Clerk, deliver a copy of each of such Lists and Statement for every Parish in his District to the Overseers thereof, who shall lay the same before the next Vestry Meeting, and preserve the same with the Parish papers.

Art. 31.—The Guardians may, if they think fit, pay to each Officer who has not been removed or suspended from his or her office, and who is entitled to receive from them payment of any salary, whether by way of annual stipend, poundage, or other emolument, on account of such salary, the amount which may be due at the expiration of every quarter, provided the accounts of such Officer shall have been presented by him or her to the Board of Guardians duly made up. The Guardians may, however, if they think fit, defer the payment of the salary of any Officer

until his or her accounts shall have been allowed by the Auditor (c).

AUDITING OF ACCOUNTS (d).

Art. 32.—Every Auditor shall audit the Accounts of all the Unions in his District, and of the Parishes comprised therein, once in every half-year; that is to say, as soon as may be after the 25th day of March and the 29th day of September, respectively. Provided always, that if the Auditor shall see fit, in any special case, with the consent of the Poor Law Commissioners, to hold an extraordinary Audit, either of the whole or of any portion of the Accounts of any Union or Parish, in addition to the ordinary Audit, at any time between such two days, it shall be the duty of any person who would be or would have been accountable at the ordinary Audit to account at such special Audit in like form and manner as at such ordinary Audit, so far as the same shall be applicable to such special Audit; and the surcharge, allowance, disallowance, or decision of the Auditor on any item, or other matter, at such special Audit, shall, so far as regards the provisions and regulations which may be contained in any Order of the Poor Law Commissioners, have the same effect as if the same were made or given at the ordinary Audit of the Accounts of such Union or Parish (e).

(c) In some of the later Orders this provision was thus:—“The salaries of the several Officers of the Guardians shall be paid at the several quarters, ending at the usual feast-days in the year, namely, Lady-day, Midsummer-day, Michaelmas-day, and Christmas-day; provided nevertheless, that in the case of any Officer whose duty it is to render accounts to the Board of Guardians, it shall be competent for the Guardians to defer, in whole or in part, the payment of the salary of any such Officer until his or her accounts shall have been audited and allowed by the Auditor, after which auditing and allowance the sum due up to the date of his or her accounts so audited shall be forthwith paid.” In some of the Orders issued subsequently it is omitted from the Accounts Order and inserted in the Consolidated Order.

(d) With regard to the duties of Auditors by statute, see the Appendix of Statutes.

(e) It is necessary that notices and advertisements of special

Art. 33.—The Auditor shall give to the Clerk to the Guardians fourteen days' notice in writing of the time and place, on and at which he intends to commence the Audit of the Accounts of the Union, and of the Parishes therein (*f*).

Art. 34.—The Officers of the Union, and of the Parishes in the Union, who by law are bound to account to such Auditor, shall attend at the time and place appointed by him for the Audit of their Accounts, and shall submit to the Auditor all books, documents, bills, and vouchers, containing or relating to their Accounts; and the same shall at the time of the Audit be open to the inspection of any Owner of Property or Ratepayer interested in such Accounts, but to such extent and in such manner only as will not in the judgment of the said Auditor interfere with the Audit.

Art. 35 (*g*).—In auditing the Accounts, the Auditor shall see that they have been kept and are presented in proper

audits to be held under this Article should be given in all respects as in the case of ordinary audits. (See Art. 33, *post*, and 7 & 8 Vict. c. 101, s. 33, in the Appendix.)

(*f*) There is nothing in the 7 & 8 Vict. c. 101, s. 33, or in the Order of Accounts which prevents the Auditor from giving notice of audit before the 29th of September and 25th of March respectively. The 11 & 12 Vict. c. 91, s. 7, further provides that the notice of audit shall be published in a newspaper circulating in the Union. The expenses attending these advertisements are repaid to the Auditors by the Poor Law Board. The salaries of the Auditors are also paid by the Poor Law Board out of the Consolidated Fund.

(*g*) In strictness the duty of the Auditor under this Article is to ascertain not merely whether the payments for which the Officers take credit were directed or sanctioned by proper authority, but also whether the facts of such payments having been made be established by adequate vouchers. 56 O. C. (N.S.) 68. The 11 & 12 Vict. c. 91, s. 8, requires notice to be given by the Auditor to any person (not being an accounting Officer) before he shall surcharge such person in respect of any improper payment which he may have authorized, so that such person having received the notice may appear before the Auditor and defend his act. If the notice required by the statute be omitted to be given, any surcharge which the Auditor may make upon the person intended to be affected by it will be null and void.

form ; that the particular items of receipt and expenditure are stated in detail, and that the payments are supported by adequate vouchers and authority ; and he shall ascertain whether all sums received, or which ought to have been received, are brought into account ; and he shall examine whether the expenditure is in all cases such as might lawfully be made ; and he shall reduce such payments and charges as are exorbitant, and disallow and strike out such as are contrary to the Orders, Rules, and Regulations of the Poor Law Commissioners, or are not otherwise authorized by law.

Art. 36.—The Auditor shall examine and collate the several Books and Papers of Account of the several accounting parties ; and shall ascertain that the several entries correspond with and balance each other, where such balance may be required.

Art. 37.—The Auditor shall compute the said Accounts so as to verify the arithmetical accuracy thereof, and the balance due to or from the Officers rendering the same at the time of the Audit ; and he shall state the balance in words at length, and certify the same by his signature or initials, and add the date of the Audit (*h*).

Art. 38.—The Auditor shall, at each Audit, compare the Balance Sheet hereinbefore directed to be delivered to him by the Overseers of every Parish with the entries in the Book of Receipts and Payments of the Overseers ; and having certified by his signature or initials at the foot of such Balance Sheet that it is in conformity with the said Book, shall deliver such Balance Sheet to the Clerk to the Board of Guardians, who shall preserve it, together with the other Balance Sheets of the same half-year, with the Books and Papers of the Guardians.

Art. 39.—The Auditor shall receive any objection made by a Ratepayer or any person aggrieved against the Accounts undergoing Audit, or any item or charge therein, or any vouchers or authority for the same, and shall ex-

(*h*) With regard to the mode of certifying balances, see 11 & 12 Vict. c. 91, s. 5, in the Appendix.

amine into the merits of such objection, and make a decision respecting the same (*i*).

Art. 40.—If the Auditor shall doubt the correctness of any Account, or any item or charge in any Account, he shall require the Officer rendering the Account, or any other person holding or accountable for any money, books, deeds, or chattels, relating to the Poor-rates or the Relief of the Poor, to appear before him, and shall call upon such person to produce any accounts, books, or papers, which he may lawfully require; and he shall examine such Officer or person, and accounts, books, and papers, as may appear or be produced before him, respecting such account, item, or charge (*j*).

Art. 41.—If the Auditor find that any money, goods, or chattels belonging to the Union, or any Parish therein, have been purloined, embezzled, wasted, or misapplied (*k*), or that any deficiency or loss has been incurred by the negligence or misconduct of any Officer or other person accounting, and shall surcharge (*l*) such Officer or person with such amount or value in his account, he shall submit a statement of such amount or value to the Board of Guardians as soon as he conveniently can do so.

Art. 42.—The Auditor having audited the several Accounts in the Ledger, shall sign a certificate at the foot of the Balance Sheet therein, to the following effect:—

“I have examined the several Accounts of which the foregoing is the Balance Sheet, and I have compared the several payments credited to the Treasurer with the vouchers, and I hereby certify that the entries appear to be correct and legal. And that [when the balance in the

(*i*) The Auditor's decision, if it be adverse to the objection, may afterwards be appealed against. See 7 & 8 Viet. c. 101, ss. 35, 36, in the Appendix.

(*j*) If it be necessary for the purpose contemplated by this Article that the Audit should be adjourned, or if on any other account it should be necessary to adjourn the Audit, the adjournment should be to a day certain, and never *sine die*.

(*k*) See 4 & 5 Wm. IV. c. 76, s. 97.

(*l*) See 7 & 8 Viet. c. 101, s. 32.

Treasurer's Book does not agree with the balance in the Ledger], subject to the explanation below [the difference to be explained at the foot of the certificate], the balance of the Treasurer's Account, viz. £ , agrees with the balance which by his own Book appears to have been in his hands at the time of closing such account.

"Dated

"(Signed)

"Auditor."

And in the other Books the Auditor shall make a note or mark of his having audited the same.

Art. 43.—The Auditor shall, at the close of each Audit of the Accounts of the Unions in his District, transmit to the Poor Law Commissioners a statement in the *Form* numbered 38, Schedule E, of the books directed by this Order to be kept by the Union Officers, showing which, if any, is not kept at all, or is imperfectly kept.

Art. 44.—The Auditor shall, at the close of the Audit of the Accounts of the Unions in his District, next after the 25th day of March, in every year, transmit to the Poor Law Commissioners a statement, in the *Form* numbered 39, Schedule E, setting forth the name of each Union Officer and Collector of Poor-rates in his District required to give a Bond, and whether such Bond, together with any certificate or proof that each of the sureties named therein is living, and is not bankrupt or insolvent, was produced to him at such Audit; and also, in the column headed "Observations," stating any defects in such securities (*m*).

And the Auditor shall, at the close of such Audit of the Accounts of each Union, report to the Board of Guardians thereof the fact of such bonds and certificates having been produced to him, together with any defects in such securities.

Art. 45.—The personal representatives of an Officer accountable under this Order dying before the half-yearly Audit of his Accounts, shall, so far as they may be by law required, account, in conformity with the provisions herein

(*m*) The bonds of Vestry Clerks, appointed under the Vestries Act, 13 & 14 Vict. c. 57, if any, should be included in this statement.

contained, in the place of such deceased Officer ; and all regulations affecting the Accounts of such Officer shall, so far as is otherwise lawful, affect the Accounts of the personal representatives of such Officer.

Art. 46.—If any person, being Clerk to a Board of Guardians, Master of the Workhouse, or Collector appointed by the Guardians, or Relieving Officer, accountable under this Order, shall resign his office or be removed therefrom before the Audit of his Accounts, such person shall lay before the Board of Guardians, at a time to be fixed by them, a true and complete account of all moneys, matters, and things committed to the charge of, or collected, received, held, or distributed by such person on behalf of the Union, or any Parish therein, in such form as he would have had to produce them before the Auditor at the end of the current half-year if he had so long continued in office ; and shall deliver over all balances, books, papers, matters, and things in his hands, to the Board of Guardians, or to the person whom they may appoint to receive the same, subject always to the liability of such person to account to the Auditor at an Audit, and without prejudice to the power of the Auditor to allow or disallow the account of such person or any charge therein, or to surcharge him in respect of any charge to which he might be liable.

Art. 47.—Every person voluntarily undertaking to fulfil either wholly or in part the duties of any Officer affected by this Order, shall, so far as relates to the Accounts prescribed by this Order to be kept or presented by any such Officer, keep and present such Accounts in the same form and manner as any such Officer is by this Order directed to keep and present such Accounts.

Art. 48.—The Clerk shall, at all reasonable times, at the request of any Owner of Property or Ratepayer in the Union, permit him to inspect the Statements of the Union or Parish Accounts for the twelve months prior to the last Audit.

And, in reference to the PURCHASE AND CUSTODY OF BOOKS AND PAPERS for the Accounts, We do hereby order and direct, as follows :—

Art. 49.—The proper Books and Papers of Account for

the Clerk, the Master of the Workhouse, the Medical Officers, and the Relieving Officers, shall be purchased by the Board of Guardians at the common charge of the Parishes in the Union.

Art. 50.—The Union Books and Papers of Account in current use shall remain in the custody of the proper Officers accounting, and shall be produced and exhibited at the ordinary meetings of the Guardians, and whenever else the Board of Guardians may require their production, as well as on other lawful occasions.

Art. 51 (*n*).—The Union Books and Papers, containing the Accounts which are closed, shall be deposited for safe custody with such persons, and at such place or places, as the Board of Guardians may from time to time direct.

And, in reference to the MEANING OF CERTAIN WORDS used in this Order, WE do hereby order and declare, as follows :—

Art. 52.—Whenever the word “Overseers” is used in this Order, it shall be taken to mean and include Overseers of the Poor and Churchwardens so far as they are authorized or required by law to act in the management or relief of the Poor, or in the collection or distribution of the Poor-rate in any Parish, and to apply to the majority of the whole body of Churchwardens and Overseers, or of the Overseers only, as the case may be (*o*).

Art. 53.—The term “Collector,” in the construing of this Order, shall be taken to include any person appointed under any Act of Parliament, or any Order of the Poor Law Commissioners, to collect the Rates for the Relief of the Poor in any Parish or Parishes, whether such person shall be designated Collector of Poor-rates, or Assistant-Overseer, or be called by any other name whatever.

Art. 54.—Whenever the word “Parish” is used in this

(*n*) As to the custody of Union Books which are closed, see Note to Art. 202, No. 3, page 128 *ante*.

(*o*) The word “Overseers” would not under this Order include a body like that of the Vestry of the parish of St. Leonard, Shoreditch, or a Local Board of Health like that for the parish of Woolwich, who, and not the Overseers, make the Poor-rates under the special Local Acts applicable to those parishes.

Order, it shall be taken to signify any place separately maintaining its own poor.

Art. 55.—Whenever the word “Union” is used in this Order, it shall be taken to include not only a Union of Parishes formed under the provisions of an Act passed in the fifth year of the reign of his late Majesty King William the Fourth, entitled “*An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*,” but also any Union of Parishes incorporated or united for the relief or maintenance of the poor under any Local Act of Parliament. (*p*)

Art. 56.—Whenever the word “Guardians” is used in this Order, it shall be taken to include not only Guardians appointed or entitled to act under the provisions of the said last-mentioned Act, but also any Governors, Directors, Managers, or Acting Guardians entitled to act in the ordering of relief to the poor from the Poor-rates under any Local Act of Parliament (*p*).

Art. 57.—Whenever the word “Chairman” is used in this Order, it shall be taken to mean any person acting as Chairman for the time being.

Art. 58.—Whenever the words “Board of Guardians” are used in this Order, they shall be taken to mean not only a Board of Guardians competent to act under the provisions of the said Act of the fifth year of his late Majesty, but also a meeting of such Guardians, or such a number of any Guardians as are competent to order relief to the poor from the Poor-rates under any Local Act of Parliament (*p*).

Art. 59.—Whenever in this Order any Article is referred to by its number, the Article of this Order bearing the number referred to shall be taken to be signified thereby.

(*p*) The latter part of these Articles respectively refer to the East and West Flegg, Forchoc, Mutford and Lothingland, and Tunstead and Happing Incorporations.

SCHEDULE (A).

Containing the Forms of the Parish Accounts to be kept by the Overseers and Collectors.

Form 1 (a).—The Rate Book.

Form of An Assessment for the Relief of the Poor of the Parish of _____, in the County of _____, and heading to the for other purposes chargeable thereon, according to Law, made this _____ day of _____ in the year "Rate." of our Lord One thousand eight hundred and _____, after the rate of _____ in the pound.

ARREARS.			RATE.								COLLECTION.				
1	2	3	4	5	6	7	8	9	10	11	Uncollected at balancing this Book.				
Number.	Due, or if excused.	If excused, write the word "excused."	Name of Occupier.	Name of Owner.	Description of Property rated.	Name or Situation of Property.	Estimated Extent.	Gross estimated Rental.	Rateable Value.	Rate at — in the Pound.	Recoverable Amount actually Collected.	Recoverable Amount at balancing the Book.	Amount legally excused.	Amount.	Causes.
											14	15	16	17	18

Form of Declaration at the foot of the "Rate." We, _____ do declare the several particulars specified in the respective columns of the above Rate to be true and correct so far as we have been able to ascertain them, to which end we have used our best endeavours.

We do also declare that the above Rate amounts in the whole to the sum of _____ pounds _____ shillings _____ pence.

Overseer.
Overseer.
Churchwarden.
Churchwarden.

(a) See Art. 1.

[This Form is superseded by the Form in the General Order of 18th November, 1850, post.]

FORM 2 (a).—*Overseers' Book*

Union.

The Overseers' Account for the Half-year

[illegible]

We declare the entries in the above Account and Memorandum
hereunto subscribed our name

I find the Balance of this Account to be _____ pound
as the case may be) the Overseers.

Dated _____

NOTE.—This Account, as well as the Rate Books and other Accounts of the day fixed for the Audit. See 7 & 8 Vict. c. 101, s. 33.

(a) See Art. 1.

UNION.

FORM 3 (a).—*Balance Sheet of the Overseers' Receipts and*

RECEIVED.	£ s. d.
Balance (if any) against the Overseers at the end of the last Half-year, when the same has not been paid to the Treasurer of the Union	
1. From Poor-rates	
<i>Received in aid of the Poor-rate :—</i>	
2. From Rents of Parish Property	
3. From Income of Funds of Parish	
4. From Relatives of Paupers	
5. From Fathers and Mothers of Bastards	
6. From Repayments of Loans to Paupers	
7. From Payments under Orders of Removal	
8. Value of Relief in Kind by Overseers, repaid by Relieving Officer	
9. From Fines, etc., paid under Convictions or Orders of Justices	
10. From Lists of Claimants and of Voters, sold	
11. Other Receipts, viz. :—	
	£ s. d.
Total received	
Balance (if any) in favour of the Overseers at the end of this Half-year	

I hereby certify that this Balance Sheet is correct.

(a) See Art. 2.

Parish of _____

Payments for the Half-year ended

18 .

PAID.	£ s. d.
Balance (if any) in favour of the Overseers at the end of the last Half-year and paid to them . . .	
1. Contributions and other Moneys paid to the Treasurer of the Union upon Orders of the Guardians	
<i>Separate Expenditure :—</i>	
2. County, Borough, Hundred, or Police Rate paid by Overseers	
3. Constables' Expenses	
4. Costs of Proceedings before Justices	
5. Costs of other Proceedings at Law or in Equity	
6. Conveyance and Travelling Expenses in removing Paupers under Orders of Removal	
7. Maintenance of the Paupers during Removal	
8. Value of Relief in Kind in cases of necessity .	
9. Repairs of Parish Property where lawfully made	
10. Repayment of Money and Interest duly charged on the Poor-rates	
11. Collector's or Assistant Overseer's Poundage or Salary	
12. Expenses of Parliamentary or Municipal Registration allowed by the Revising Barrister or other competent authority	
13. Cost of Jury Lists	
14. Other Payments, viz.:—	
	£ s. d.
Total expended	
Balance (if any) against the Overseers at the end of this Half-year	

Auditor.

Q 3

FORM 4.—*The Rate Receipt Check Book.*

[This Form is superseded by the Order of 16th March, 1854, *post.*]

FORM 5 (a).—*The General Receipt Check Book.*

UNION.

UNION.

Parish of _____ the _____ day of _____ 18 _____

Parish of _____

Received of _____

the _____ day of _____

the sum of _____

Mr. _____

on behalf of the above Parish, in respect of _____

For _____

£

(Signed)

£

This part is to be retained by the Overseers.

FORM 6 (a).—*Terrier of Lands and Tenements belonging to the Parish of* _____
in the _____ *Union.*

Name of the Estate.	Tenure of the Estate.	Name of the Parish or Place where situate.	Name of Tenant or Occupier.	Yearly Rent.	Present Application of Rents.	Date of Original Gift or Conveyance, and Trusts thereof.	Incumbrances on the Estate.	Remarks.	Signature of Overseers and Date of Signing.

FORM 7 (a).—*Inventory of Stock, Moneys, and Effects, belonging to the Parish of* _____
in the _____ *Union.*

Amount of principal Fund.	Nature of Security in which invested.	Amount of Yearly Income.	Present Application of Income.	Date of Original Gift or Assignment, and Trust thereof.	Trustees in whose Names now standing.	Remarks.	Signature of Overseers and Date of Signing.

(a) See Art. 4.

FORM 8 (a).—*The Collecting and Deposit Book.*

UNION. _____

Parish of _____

RECEIPTS.				DEPOSITS.		
From Rates.		From other Sources.		Date.	With whom deposited.	Amount.
Date.	No. of Receipt.	Amount.	Date.	On what Account, and from whom received.	Amount.	£ s. d.
		£ s. d.				£ s. d.

(a) See Arts. 8 and 9.

FORM 9 (a).—The Collector's Monthly Statement.

UNION.

Parish of _____ Month of _____ 18____

Drs.		The Ratepayers in account with the Collector.		Cr.s.	
	£	s.	d.		£ s. d.
Amount of Rate allowed on the _____ day of _____				Amount of Rates collected since last Month's Statement	
Recoverable Arrears, as per last Month's Statement				Arrears legally excused	
				Ditto, irrecoverable	
				Ditto, recoverable	
Total				Total	
Dr. The Collector in account with the Overseers. Cr.					
Balance (if any) in the Collector's hands at the end of last month				Amount deposited with _____	
Amount of Rates collected since				Balance (if any) in the Collector's hands	
Other sums than Rates collected since (viz.)				Total	
Total					
Moneys due in aid of the Poor-rates, but not yet collected.					
					£ s. d.

Dated _____ 18____ Collector. _____

(a) See Art. 10.

SCHEDULE (B.)

Containing the General Accounts of the Union, to be kept by the Clerk to the Board of Guardians.

FORM 11 (a).—*The General Ledger.*

_____ UNION.

_____ UNION.

Fo. *Dr.* *CONTRA.* *Cr.* Fo.

Date.	Folio of Minute Book.	Folio of corresponding Credit.	Corresponding Credit and Items.	(1)	Totals.	Date.	Folio of Minute Book.	Folio of corresponding Debit.	Corresponding Debit and Items.	(2)	Totals.
			<i>To</i>	£ s. d.	£ s. d.				<i>By</i>	£ s. d.	£ s. d.

(1) When to any account any sum is debited, part of which is credited to one account, and the remainder to another or others, the several sums so credited are to be written in this column, and their total in the next column. The several accounts to which such parts are credited to be written against them respectively, together with the requisite explanation in the column for "Corresponding Credit and Items."

(2) When to any account any sum is credited, part of which is debited to one account, and the remainder to another or others, the several sums so debited are to be written in this column, and their total in the next column. The several accounts to which such parts are debited to be written against them respectively, together with the requisite explanation in the column for "Corresponding Debit and Items."

(a) See Art. 14.

FORM 13 (a).—*The Relief Order Book.*

Schedule B.—Form 13.

353

UNION.

Quarter ending _____ 18 .

Name of Applicant.	Parish to which chargeable.	Where resident if not in the foregoing Parish.	Relief ordered or allowed by the Board of Guardians.				For what Time ordered or allowed.	Other Orders of the Board (if any).
			Amount in Money.	In kind.		Value.		
				Quantity and Description.				
			s. d.			s. d.		

Dated this _____ Day of _____ 18 . } Clerk.
being for the _____ Week of the Quarter. }

(a) See Art. 14.

FORM 14 (a).—The Order Check Book.

No.	18
The Guardians of the	Union.
Drs.	To
Date.	Articles supplied or Work done.
	£ s. d.
Total £	
Exd. and Eutd.	Master.
	18 .
Correct,	Clerk.

The Particulars and Price of the Goods or Work to be inserted, and the Invoice or Account returned when the Order is executed.

No.	18	Union.
Mr.	No.	18
	Mr.	
	Please to*	
(Signature.)		

* Insert in these spaces the name of the tradesman, the goods to be supplied, and the place at which they are to be delivered, or the work is to be done, as the case may be.
 NOTE.—This Order, with the Invoice or Account in blank, is to be detached from the note thereof, and sent to the tradesman; the Order is to be kept by the tradesman, and the Invoice or Account returned when the Order is executed.

(a) See Arts. 14 and 16.

FORM 15 (a). Statement of the Numbers of the several Classes of Paupers relieved in the Half-year ended

(a) See Art. 14.

§ With regard to paupers transferred from the Relief List to the Account of Non-settled Poor, the Clerk shall call upon each Relieving Officer to give him information of any such cases which appear in his Relief List for the Half-year.

2nd. The number of paupers entered in the Relief Lists originally, but whose relief has since been transferred to the Non-settled Poor Account

Net Total of Paupers Relieved in the Half-year . . .

The No. of each Class relieved on the 1st of—

SECOND QUARTER.

Number of different Cases attended by the Medical Officers in each District and in the Workhouse in the Half-year

District or Workhouse.

Number of Cases

Total

Auditor.

† This column is to contain the net total for each Parish, according to the *Pauper Classification Book*.

UNION. [Financial Statement.] FORM 17 (a).—Statement of Account, showing the Receipts, Expenditure, and Balances for the Half-year ended _____

18

PARISHES.	Balance in favour of each Parish at the Commencement of this Half-Year.	RECEIPTS.						Total.	Balance against each Parish at the end of this Half-Year.	EXPENDITURE.															Total.	
		Contributions paid during this half-Year.	Dividends or Parish Property Produce, credited to the Parishes.	Other Receipts, specifying them.			SEPARATE CHARGES.										COMMON CHARGES.									
				3	Balance against each Parish at the end of this Half-Year.		In-Maintenance.			Out-Relief.		Maintenance of Lunatics in Asylums or Licensed Houses.	Extra Medical Fees or Payments charged to the Parishes.	Emigration Expenses.	Vaccination Fees.	Registration Fees.	County Rates.	Emigration Loans and Interest Repaid	Other separate Charges, specifying them.	Work-house Loan and Interest Repaid.†	Salaries of Officers and other Common Charges, apportioned according to the existing averages.‡					
										1	2											3	4	5		6
		1	2	(1)	(2)	(3)			1	2	3	4	5	6	7	8	9		10	(1)	(2)	(3)	12	13		
Total . . .																										
Expenditure of Corresponding Half of last Year . . .																										
As compared with the corresponding half of last year . . .	Increase of Expenditure . . .																									
	Decrease of Expenditure . . .																									

Total Receipts (exclusive of Balances) £ _____

Total Expenditure (exclusive of Balances) £ _____

* Non-resident relief which passes through the hands of the Relieving Officer in the ordinary course will be included in this Column from the Relief List. Non-resident relief, which does not pass through his hands, must be added by the Clerk to the amount of the Relief List before the sum is entered here.

† Apportioned according to the averages in force at the time the Money was borrowed.

Name of Officer.	Office.	Half-Year's Salary.	Totals. §		
			£	s.	d.

§ The totals of the salaries to the Medical Officers, and the totals of the salaries to the other Officers, are to be carried out separately; and the total cost of the Maintenance of the Workhouse Establishment for each quarter and for the half-year, as shown by the Provisions Receipt and Consumption Account (see Form No. 27), is to be entered after the other salaries.

(a) See Art. 23.

Principal Particulars of the "other Common Charges."			
	£	s.	d.

Clerk.
Auditor.

FORM 18.—This Form was suspended by an Order dated 28th April, 1858; see Article 28 and note (b), page 331 ante.—W. C. G.

List of Paupers whose Relief is charged against the Parish, together with the Statement of the Amounts respectively credited and debited to the Parish, in the Union Accounts, for the Half-year ending 18

IN-DOOR POOR.		OUT-DOOR POOR.		
Names of the Paupers.	No. of Days Maintenance.	Names of the Paupers.	If not in the above Parish, where resident.	Cause of Requiring Relief.
				Amount given to each Pauper during the Half-Year.
				In Money. In Kind.

Relieving Officer.

Master.

Dr.	£	s.	d.	Cr.	£	s.	d.
Balance against the Parish, brought forward	-	-	-	Balance in favour of the Parish, brought forward	-	-	-
<i>Separate Charges.</i>				Contributions and other Moneys paid to the Treasurer of the Union upon Orders of the Guardians	-	-	-
In-Maintenance	-	-	-				
Out-Relief, as per Out-door Relief Lists	-	-	-	Income from Parish Property (viz.)	-	-	-
— to Non-Resident Paupers, not in ditto	-	-	-				
— by way of Loan	-	-	-	Other Receipts or Credits (viz.)	-	-	-
Maintenance of Lunatics in Asylums	-	-	-				
Extra Medical Fees or Payments	-	-	-				
Emigration Expenses	-	-	-				
Vaccination Fees	-	-	-				
Registration Fees	-	-	-				
County Rates, First Quarter	-	-	-				
— Second Quarter	-	-	-				
Instalment of Emigration Loan, when entered into by the Guardians	-	-	-				
Interest	-	-	-				
Other Separate Charges (viz.)	-	-	-				
<i>Common Charges.</i>							
Instalment of Workhouse Loan, apportioned according to the averages in force at the time the Money was borrowed	-	-	-				
Interest, apportioned in like manner	-	-	-				
Salaries of Officers and other common charges, apportioned according to the existing averages, share of	-	-	-				
Balance in favour of the Parish	-	-	-	Balance against the Parish	-	-	-

(a) See Arts. 30 and 31.

Clerk.

(C.)

to be kept by the *Master of the Workhouse.**The Inventory Book.*

		Articles transferred, condemned, or disposed of.		
House Linen. †	Other Effects.	Date.	Notes of Articles transferred to other Parts of the House.	Notes of Articles condemned or disposed of.

in this space is to be inserted the name of the office, room, or apartment to which the articles are transferred, and under "House Linen" are to be entered table-cloths, sheets, and rugs; and under "Other Effects" are to be entered the names of the articles. The insertion of new articles, should be made as soon as the same takes place, and the new purpose in reference to the articles to be entered in this book at all times.

FORM 21 (a).—*The Admissi* and L

UNION.

ADMITTED.								
Day of the Month.								
Day of the Week.								
Next Meal after Admission.								
Name.								
	1	2	3	4	5	6	7	8
								9
	Class for Diet.*							
	Number allotted to the Pauper's Clothes.							
	Parish to which charged.							
	By whose Order admitted.							
	Date of the Order of Admission.							
	If born in the House, Name of Parent.							
	Cause of seeking Relief.							
	Observations on Condition at the Time of Admission, and any other							

When a Pauper is admitted before breakfast, the Master is to enter in the letter D; and when before supper, the letter S. And when a Pauper is discharged "the letter B; when after dinner, the letter D; and when after supper, the letter S."

* The Columns "Class for Diet" are to be filled up by the figure 1. 1. Boys from 2 to 9; 2. Boys from 10 to 13 or 16, according to the Dietary Order; 3. Boys from 14 to 17; 4. Boys from 18 to 21; 5. Adults according to the Dietary Order; 6. Girls from 2 to 9; 7. Girls from 10 to 13 or 16, according to the Dietary Order; 8. Girls from 14 to 17; 9. Infants.

and Discharge Book.[illegible]

umn for "next meal after admission" the letter B; when before dinner, the
er breakfast, the Master is to enter in the column for "last meal before
letter S.

(a) See Art. 15.

[illegible]

(11) See Art. 15.

FORM 25 (a). Daily Provisions Consumption Account.

UNION.

BREAKFAST.														
CLASS.	Total Numbers.	Deduct.		Net Numbers.	Prepared Provisions.					CLASS.	Total Numbers.	Deduct.		Net Numbers.
		Sick.*	Absent.		(1)		Pints each.	each.				Sick.*	Absent.	
					oz. each.	lb. oz.								
1										1				
2										2				
3										3				
4										4				
5										5				
†—										—				
6										6				
7										7				
8										8				
9										9				
Totals (2)										Totals				
Quantities of the several principal Articles in their unprepared state taken from the Stores to supply the above meals (3).														

(1) The names of the articles prescribed in the Dietary are to be inserted.

(2) The total quantities on this line represent the quantities of the several articles.

(3) The quantities of the several principal articles in their unprepared state, necessary to supply the quantities of prepared provisions for each meal, and carried to the "Weekly Provisions" account are to be shown separately, but the weight of bone may be added to the meat if necessary.

* Those only of the Sick who have not the ordinary diet are to be deducted.

† On this line are to be placed such of Class 5 as have larger allowances than the ordinary diet.

work.

(* * A slight modification of this Form has been sanctioned to allow of the insertion of the names of the articles in the Dietary.

for the _____ the _____ day of _____ 18 .

DINNER.					SUPPER.									
Prepared Provisions.					CLASS.	Total Numbers.	Deduct.		Net Numbers.	Prepared Provisions.				
oz. each.	lb. oz.	each.	each.	Sick.*			Absent.	oz. each.		lb. oz.	each.	each.		
				1										
				2										
				3										
				4										
				5										
				6										
				7										
				8										
				9										
				Totals										

of prepared provisions required for each meal.

ary to supply the quantities of prepared provisions so required, are to be entered under "Provisions Consumption Account" (Form 26). In the case of meat, the weight of bone and the Weekly Account (Form 26).

Diet Table gives, on account of their being employed as nurses or in the household

(a) See Art. 15.

tion of the provisions consumed by children under nine years of age.—W. C. G.)

Form 26 (a).—*Weekly Provisions Consumption Account.* The *Week of the Quarter*
 ending 18 .
 UNION.

Date.	Day of the Week.	Meal.	Consumed by the Paupers.		Taken from the Stores for the Officers and Servants of the Workhouse (1).							Number of Paupers in the House during the Day.	Number of Members of the Establishment.
			lb. oz.	lb. oz.									
		Breakfast . . .											
		Dinner . . .											
		Supper . . .											
		Breakfast . . .											
		Dinner . . .											
		Supper . . .											
		Breakfast . . .											
		Dinner . . .											
		Supper . . .											
		Breakfast . . .											
		Dinner . . .											
		Supper . . .											
		Breakfast . . .											
		Dinner . . .											
		Supper . . .											
		Sick as per Medical Relief Book . . .											
		TOTALS to be carried to the "Provisions Receipt and Consumption Account" (Form 27).										(2)	

(1) The quantities of the articles taken from the Stores for the Officers and Servants of the Workhouses are to be entered at the time when they are taken

FORM 27 (a).—Provisions Receipt and Consumption Account for the _____ Week
 of the Quarter ending _____
 UNION.

ARTICLES.	Stock brought forward.	New Stock.	No. of Invoice.	Totals of Stock brought forward, and new Stock.	Consumed.		Remaining in Store.	Totals consumed and remaining in Store.	Required for next Week.
					By the Paupers.	By the Officers and Servants of the Workhouse.			

The "New Stock" of the several Articles, and the quantities "Consumed" "by the Paupers," and "by the Officers and Servants of the Workhouse" respectively, are to be carried to the "Summary of Provisions Received and Provisions Consumed" (Form 25).

(a) See Art. 15.

FORM 28 (a).—Summary of Provisions Received and Provisions Consumed in the Quarter ending _____

UNION.

		* lb. oz.																			
Received 1st week .																					
„ 2nd .																					
„ 3rd .																					
„ 4th .																					
„ 5th .																					
„ 6th .																					
„ 7th .																					
„ 8th .																					
„ 9th .																					
„ 10th .																					
„ 11th .																					
„ 12th .																					
„ 13th .																					
Totals received . .																					
Consumed by the Paupers.				1st week																	
{	2nd																				
	3rd																				
	4th																				
	5th																				
	6th																				
	7th																				
	8th																				
	9th																				
	10th																				
	11th																				
	12th																				
	13th																				
Totals consumed by the Paupers . .																					
Consumed by the Officers and Servants of the Workhouse.				1st week																	
{	2nd																				
	3rd																				
	4th																				
	5th																				
	6th																				
	7th																				
	8th																				
	9th																				
	10th																				
	11th																				
	12th																				
	13th																				
Totals consumed by the Officers and Servants of the Workhouse . .																					

* The names of the Articles are to be placed at the head of the several Columns.

The "Totals received," the "Totals consumed by the Paupers," and the "Totals consumed by the Officers and Servants of the Workhouse," are to be carried to the "Balance of the Provisions Account for the Quarter." (Form 29). (a) See Art. 15.

FORM 29 (a).—Balance of the Provisions Account for the Quarter ending _____

UNION.

Articles.	Stock brought forward.	Price.	Cost of Stock brought forward.	New Stock.	Price.	Cost of New Stock.	Total Cost of New Stock and Stock brought forward.	Consumed.						Stock re-maining in Store.	Cost of Stock re-maining in Store.	Total Cost of Articles Consumed and in Store.
								By the Paupers.		By the Officers and Servants of the Workhouse.		Quantities.	Cost.			
								Quantities.	Cost.	Quantities.	Cost.					
		s. d.	£ s. d.		s. d.	£ s. d.	£ s. d.				£ s. d.		£ s. d.	£ s. d.		

(a) See Art. 15.

_____ UNION. FORM 30 (a).—*Clothing Materials*

(*)			
RECEIVED.			
Date.	Of whom.	No. of Invoice.	Quantity.

* A separate Account is to be kept of each article, and the name of the article is to be entered at the head of the page.

The entries are to be made in the true order of time, according as the articles are received and converted; and the account is to be made up and balanced every half-year.

(a) See Art. 15.

_____ UNION. FORM 31 (a).—*Clothing Receipt*

RECEIVED.																			
Date.	From whom or whence received.	Men's and Boys' Clothing.								Women's and Girls' Clothing.									
		Coats and Jackets.	Waistcoats.	Trousers.	Shirts.	Shoes.	Stockings.	Hats.	Handkerchiefs.	Gowns and Frocks.	Under Petticoats.	Upper Petticoats.	Shifts.	Aprons.	Handkerchiefs.	Shoes.	Stockings.	Caps.	Bonnets.

In the several Columns is to be entered, according to the circumstances of the case, the number of the articles received and given out.

(a) See Art. 15.

Receipt and Conversion Account.

(*)			
CONVERTED.			Folio of Clothing Receipt and Expenditure Book or of Inventory Book.
Date.	Into what.	Quantity used.	

Sheets, bedding, and house linen are to be entered in the Inventory, Form 20, and charged by the Clerk in the Ledger to the Common Charges Account.

The articles of clothing into which the materials are converted are to be carried to the Clothing Receipt and Expenditure Account, Form 31, in their proper columns.

and Expenditure Account.

GIVEN OUT.																							
Date.		Men's and Boys' Clothing.										Date.		Women's and Boys' Clothing.									
		Number of the Suit.	Coats and Jackets.	Waistcoats.	Trousers.	Shirts.	Shoes.	Stockings.	Hats.	Handkerchiefs.	Number of the Suit.			Gowns and Frocks.	Under Petticoats.	Upper Petticoats.	Shifts.	Aprons.	Handkerchiefs.	Shoes.	Stockings.	Caps.	Bonnets.

The Entries are to be made in the true order of time, according as the articles are received and converted, and the Account is to be made up and balanced every half-year.

UNION. FORM 32 (a).—Clothing Register Book.

MALES.				FEMALES.			
No.* . [Size .]	No. . [Size .]	No. . [Size .]	No. . [Size .]	No. . [Size .]	No. . [Size .]	No. . [Size .]	No. . [Size .]
Date of Admission.	Date of Admission.	Date of Admission.	Date of Admission.	Date of Admission.	Date of Admission.	Date of Admission.	Date of Admission.
Names.	Names.	Names.	Names.	Names.	Names.	Names.	Names.
Date of Discharge.	Date of Discharge.	Date of Discharge.	Date of Discharge.	Date of Discharge.	Date of Discharge.	Date of Discharge.	Date of Discharge.

(a) See Art. 15.

* By the No. here is intended the number given by the Master to each suit.

MONEY PORTION

Instructions as to filling up this Form.

4. The column 4, in Unions where the Prohibitory Order is in force, will contain the special cases of relief to adult males or their families in which out-door relief is given under Article VI. of that Order, not being within the exceptions of the Order. (a) See Art. 17.

(b) The original contains columns for each consecutive week.—*W. C. G.*

FORM 35 (a).—*Abstract of the Out-door Relief List.*

UNION.

Names of Parishes.	1st Week.	2nd Week.		26th Week.		Totals.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Totals						
Clerk's Initials .						

(a) See Art. 17.

FORM 36 (a).—*The Relieving Officer's Receipt and Expenditure Book.*

UNION.

DISTRICT.

Week of the Quarter ending 18

Relieving Officer, in account with the Board
of Guardians of the Union.

Dr.				Cr.		
Date.	Money received and Tickets issued.			Parishes and Unions charged.		
		£ s. d.	£ s. d.		£ s. d.	£ s. d.

(a) See Art. 17.

FORM 38 (a).—Statement of the Auditor in reference to the Books of the several Unions in the
 SCHEDULE (E).
 District for the Half-Year ended 18

Names of Unions.	Name of Officer omitting to keep any Book, or keeping it imperfectly.	SCHEDULE (B). CLERK.													SCHEDULE (C).										SCHEDULE (D). RELIEVING OFFICER.					Observations.
		Minute Book.	General Ledger.	Parochial Ledger.	Relief Order Book.	Order Check Book.	Pauper Classification Book.	Inventory.	Admission and Discharge Book.	In-door Relief List.	Abstract of In-door Relief List.	Master's Day Book.	Daily Provisions Consumption Account.	Weekly Provisions Consumption Account.	Provisions Receipt and Consumption Account.	Quarterly Summary of Provisions Received and Consumed.	Quarterly Balance of Provisions Accounts.	Clothing Materials Receipt and Conversion Book.	Clothing Receipt and Expenditure Book.	Clothing Register Book.	Application and Report Book.	Out-Relief List.	Abstract of Out-Relief List.	Receipt and Expenditure Book.	Quarterly Summary of Receipts and Expenditure.					
		11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37		

Dated, _____, 18____, Auditor.

Under the name of any Book contained in this Schedule which is not kept at all, or is imperfectly kept, the Auditor is to write, opposite to the name of the Officer ordered to keep such Book, in the former case "not kept," and in the latter the word "imperfectly." If there be no defect the Auditor must state that fact in the Column for Observations.

(a) See Art. 43.

FORM 39 (a).—Statement of the Auditor of the _____
 District in reference to the Officers' Bonds required to
 be produced to him at the Audit next after the 25th
 day of March, 18 _____.

Names of Unions.	Name of every Officer required to give a Bond.	Office.	Whether the Bond was pro- duced.	Whether any Certificate or Proof, that each Surety is living, and is not Bankrupt or Insolvent, was produced.	Observations.

_____, 18

_____*Auditor.*

(a) See Art. 41.

SCHEDULE (F).

Containing the Names of the Unions to which the annexed
Order applies.

Aberaeron.	Banbury.	Bootle.
Abergavenny.	Bangor & Beaumaris.	Bosmere & Claydon.
Aberystwith.	Barnet.	Boston.
Abingdon.	Barnstaple.	Boughton, Great.
Albans, St.	Barrow-on-Soar.	Bourn.
Alcester.	Basford.	Brackley.
Alderbury.	Basingstoke.	Bradfield.
Alnwick.	Bath.	Bradford (Wilts).
Alresford.	Battle.	Bradford (York).
Alton.	Beaminster.	Braintree.
Altrincham.	Bedale.	Brampton.
Amersham.	Bedford.	Brecknock.
Amesbury.	Bedminster.	Brentford.
Amphthill.	Belford.	Bridge.
Andover.	Bellingham.	Bridgend and Cow- bridge.
Anglesey.	Belper.	Bridgnorth.
Asaph, St.	Berkhampstead.	Bridgwater.
Ashbourne.	Berwick-upon-Tweed.	Bridlington.
Ashby-de-la-Zouch.	Beverley.	Bridport.
Ashford, East.	Bicester.	Brixworth.
Ashford, West.	Bideford.	Bromley.
Ashton-under-Lyne.	Biggleswade.	Bromsgrove.
Aston.	Billerieay.	Bromyard.
Atcham.	Billesdon.	Buckingham.
Atherstone.	Bingham.	Builth.
Auckland.	Bishop Stortford.	Buntingford.
Austell, St.	Blaby.	Burnley.
Axbridge.	Blackburn.	Burton-upon-Trent.
Axminster.	Blandford.	Bury.
ylesbury.	Blean.	
Lylsham.	Blofield.	
	Blything.	Caistor.
Bakewell.	Bodmin.	Calne.
Bala.	Bolton.	Cambridge.

Camelford.	Cookham.	East Grinstead.
Cardiff.	Corwen.	Easthampstead.
Cardigan.	Cosford.	East Retford.
Carlisle.	Cranbrook.	Eastry.
Carmarthen.	Crediton.	East Ward.
Carnarvon.	Crickhowel.	Ecclesall Bierlow.
Castle Ward.	Criklade and Woot-	Edmonton.
Catherington.	ton Bassett.	Elham.
Caxton & Arrington.	Croydon.	Ellesmere.
Cerne.	Cuckfield.	Ely.
Chailey.		Epping.
Chapel-en-le-Frith.	Darlington.	Epsom.
Chard.	Dartford.	Erpingham.
Cheadle.	Daventry.	Eton.
Chelmsford.	Depwade.	Evesham.
Cheltenham.	Derby.	
Chepstow.	Devizes.	Faith, St.
Chertsey.	Dewsbury.	Falmouth.
Chesterfield.	Doeking (a).	Fareham.
Chesterton.	Dolgelly.	Faringdon.
Chester-le-Street.	Doneaster.	Farnham.
Chippenharn.	Dorehester.	Faversham.
Chipping Norton.	Dore.	Festiniog.
Chipping Sodbury.	Dorking.	Flegg, East & W.
Chorley.	Dover.	Foleshill.
Chorlton.	Downham.	Fordingbridge.
Christchurch.	Drayton.	Forehoe.
Chureh Stretton.	Driffield.	Freebridge Lynn.
Cireneester.	Droitwich.	Frome.
Cleobury Mortimer.	Droxford.	Fulham.
Clifton.	Dudley.	Fylde.
Clitheroe.	Dulverton.	
Clun.	Dunmow.	Gainsborough.
Clutton.	Durham.	Garstang.
Coekermouth.	Dursley.	Gateshead.
Colehester.		Germans, St.
Columb, St. Major.	Easington.	Glanford Brigg.
Congleton.	Easingwold.	Glendale.
Conway.	Eastbourne.	Glossop (a).

(a) These are Unions for rating and settlement.

Gloucester.	Hollingbourn.	Leominster.
Godstone.	Holsworthy.	Lewes.
Goole.	Holywell.	Lewisham.
Grantham.	Honiton.	Lexden & Winstree.
Gravesend & Milton.	Hoo.	Leyburn.
Greenwich.	Horneastle.	Lichfield.
Guildford.	Horsham.	Lincoln.
Guildenburgh.	Houghton-le-Spring.	Linton.
Guisborough.	Howden.	Liskeard.
	Hoxne.	Llandilo Fawr.
Hackney.	Huddersfield.	Llandovery.
Hailsham.	Hungerford.	Llanelly.
Halifax.	Huntingdon.	Llanfyllin.
Halstead.	Hursley.	Llanrwst.
Haltwhistle.		Loddon & Clavering.
Hambledon.	Ipswich.	London, City of.
Hardingstone.	Ives, St.	London, East.
Hartismere.		London, West.
Hartley Wintney.	Keighley.	Longtown.
Hastings.	Kendal.	Loughborough.
Hatfield.	Kettering.	Louth.
Havant.	Keynsham.	Ludlow.
Haverfordwest.	Kidderminster.	Luton.
Hay.	Kingsbridge.	Lutterworth.
Hayfield.	Kingsclere.	Lymington.
Healdington.	King's Lynn.	
Helmley Blackmoor.	King's Norton.	Macclesfield.
Helmston.	Kingston-upon-Thames.	Machynlleth.
Hemel Hempstead.	Kington.	Madeley.
Hendon.	Knighton.	Maidstone.
Henley.		Maldon.
Henstead.	Lampeter.	Malling.
Hereford.	Lancaster.	Malmsbury.
Hertford.	Lancaster.	Malton.
Hexham.	Langport.	Mansfield.
Highworth and Swindon.	Launceston.	Market Bosworth.
Hinckley.	Ledbury.	Market Harborough.
Hitchin.	Leek.	Marlborough.
Holbeach.	Leicester.	Martley.
Holborn.	Leigh.	Medway.
	Leighton Buzzard.	Melksham.
		Melton Mowbray.

Mere.	Oakham.	Ringwood.
Meriden.	Okehampton.	Risbridge.
Merthyr Tydvil.	Olave's, St.	Rochdale.
Midhurst.	Ongar.	Rochford.
Mildenhall.	Ormskirk.	Romford.
Milton.	Orsett.	Romney Marsh.
Mitford and Launditch.	Oundle.	Romsey.
Monmouth.	Patelcy Bridge.	Ross.
Morpeth.	Patrington.	Rothbury.
Mutford and Lothlingland.	Pembroke.	Rotherham.
	Penkridge.	Royston.
	Penrith.	Rugby.
Nantwich.	Penzance.	Runcorn.
Narbeth.	Pershore.	Ruthin.
Neath.	Peterborough.	Rye.
Neot's, St.	Petersfield.	Saffron Walden.
Newark.	Petworth.	Salford.
Newbury.	Pewsey.	Saviour's, St.
Newcastle-in-Emlyn.	Pickering.	Scarborough.
Newcastle-under-Lyne.	Plomesgate.	Sculcoates.
Newcastle-upon-Tyne.	Plympton, St. Mary.	Sedbergh.
	Pocklington.	Sedgefield.
Newent.	Pont-y-Pool.	Seisdon.
New Forest.	Poole.	Selby.
Newhaven.	Poplar.	Settle.
Newmarket.	Portsea Island.	Sevenoaks.
Newport (Monmouth).	Potterspurty.	Shaftesbury.
Newport (Salop).	Prescot.	Shardlow.
Newport Pagnell.	Presteigne.	Sheffield.
Newton Abbott.	Preston.	Sheppey.
Newtown and Llanidloes.	Pwllhelli.	Shepton Mallett.
		Sherborne.
Northallerton.	Radford.	Shiffnal.
Northampton.	Reading.	Shipston-upon-S.
North Aylesford.	Redruth.	Skipton.
Northleach.	Reeth.	Skirlaugh.
Northwich.	Reigate.	Sleaford.
North Witchford.	Rhayader.	Solihull.
Nottingham.	Richmond (Surrey).	Southam.
Nuncaton.	Richmond (Yorkshire).	South Molton.
		South Shields.

uth Stoneham.	Thomas, St.	Wellington (Salop).
athwell.	Thornbury.	Wellington (Somer-
alding.	Thorne.	set.)
ilsby.	Thrapston.	Wells.
ufford.	Ticehurst.	Welwyn.
ines.	Tisbury.	Wem.
umford.	Tiverton.	Weobly.
epney.	Todmorden.	Westbourne.
ynning.	Tonbridge.	West Bromwich.
ockbridge.	Torrington.	Westbury-upon-
ockport.	Totnes.	Severn.
ockton.	Towcester.	Westbury and Whor-
okesley.	Tregaron.	welsdown.
one.	Truro.	West Derby.
ourbridge.	Tunstead & Happing.	West Firle.
ow.	Tynemouth.	West Ham.
ow-on-the-Wold.		West Hampnett.
and.	Uckfield.	West Ward.
atford-upon-Avon.	Ulverstone.	Weymouth.
atton.	Uppingham.	Wheatenhurst.
oud.	Upton-upon-Severn.	Whitby.
urminster.	Uttoxeter.	Whitchurch.
lbury.	Uxbridge.	Whitechapel.
nderland.		Whitchaven.
affham.	Wakefield.	Wigan.
ansea.	Wallingford.	Wigton.
	Walsal.	Williton.
nworth.	Walsingham.	Wilton.
anton.	Wandsworth and	Wimborne and Cran-
vistock.	Clapham.	borne.
esdale.	Wangford.	Wincanton.
nbury.	Wantage.	Winchcombe.
ndring.	Ware.	Winchester, New.
nterden.	Wareham and Pur-	Windsor.
nbury.	beck.	Winslow.
okesbury.	Warminster.	Wirrall.
akeham.	Warrington.	Wisbeach.
ame.	Warwick.	Witham.
anet, Isle of.	Watford.	Witney.
etford.	Wayland.	Woburn.
ingoe.	Wcardale.	Wokingham.
irsk.	Wellingborough.	Wolverhampton.

Wolstanton and	Worcester.	Wyeombe.
Burslem.	Worksop.	
Woodbridge.	Wortley.	Yeovil.
Woodstock.	Wrexham.	York.

Given under our Hands and Seal of Office, this Seventeenth day of Mareh, in the year One thousand eight hundred and forty-seven.



(Signed)

GEO. NICHOLLS.

G. C. LEWIS.

EDMUND W. HEAD.

The Doeking and Glossop Unions included in the above Schedule are Unions for the purposes of rating and settlement of the poor, and therefore some parts of the Order appear to be inapplicable to those Unions. Portion of the Order relating to the accounts of Collectors, is also inapplicable to the parish of Strood, in the North Aylesford Union, they being appointed by the trustees of the parish, under the provisions of a Local Act.

Orders for Accounts have since been issued to the following Unions, single Parishes, and Townships, under Boards of Guardians, and Places under Local Acts, on the dates undermentioned:—

1.—*Unions.*

Barnsley	23rd April, 1850.
Barton-upon-Irwell	26th January, 1850.
Bedwellty	28th November, 1849.
Gower	9th November, 1857.
Great Ouseburn	6th July, 1854.
Hawarden	5th Mareh, 1853.
Hemsworth	22nd November, 1850.
Holyhead	19th February, 1853.

Kirkby Moorside	23rd December, 1848.
Knaresborough	16th June, 1854.
North Bierley	14th February, 1849.
Oldham	20th November, 1848.
Penistone	22nd November, 1849.
Prestwich	3rd August, 1850.
Ripon	8th February, 1853.
Samford	27th March, 1849.
Whitechurch (Salop)	25th February, 1853.

2.—*Single Parishes and Places under Boards of Guardians.*

Alston-with-Garrigill	15th December, 1854.
East Stonehouse	7th August, 1851.
Great Yarmouth	8th March, 1850.
Leeds	26th August, 1857.
Manchester	10th March, 1851.
Mile End Old Town	27th January, 1858.
Saddleworth	23rd June, 1853.
St. George-the-Martyr, Southwark	19th November, 1857.
St. Giles, Camberwell	12th March, 1856.
St. Luke, Chelsea	4th September, 1850 (a).
St. Martin-in-the-Fields	15th August 1853.
Stoke-upon-Trent	7th March, 1854.
Toxteth Park	17th February, 1858.
Whittlesea, St. Mary and St. Andrew	} 21st June, 1852.
drew	

3.—*Places under Local Acts.*

Birmingham	23rd February, 1850 (b).
Bristol	17th February, 1857 (c).

(a) The provisions of this Order relating to the books and duties of the Collector of Poor-rates have been rescinded, and further provisions made in that behalf by an Order dated 21st March, 1854.

(b) The provisions of this Order applicable to the office of storekeeper were rescinded and further provisions made in that behalf, by an Order dated 11th December, 1851. Further alteration, as regards the books of the Relieving Officer, was made in it by an Order dated 24th May, 1855.

(c) These Orders apply only to the Accounts of the Guardians and their Officers.

Bury St. Edmund's	4th December, 1857.
Canterbury	12th June, 1852 (<i>e</i>).
Chester	18th September, 1851 (<i>d</i>).
Chichester	21st February, 1853 (<i>e</i>).
Exeter	9th May, 1857 (<i>e</i>).
Kingston-upon-Hull	3rd May, 1850 (<i>e</i>).
Oswestry	26th April, 1851.
Oxford	10th June, 1853.
Plymouth	6th August, 1853 (<i>e</i>).
St. Mary, Newington	4th July, 1855.
Shrewsbury	5th August, 1850 (<i>f</i>).
Southampton	16th March, 1850 (<i>e</i>).
Stoke Damerel	31st January, 1855.

Inasmuch as the provisions of the Orders above mentioned differ in some instances from those contained in the General Order for Accounts of the 17th March, 1847, the Officers, in acting upon the Order in force in their particular Union or Place, should invariably refer to the original Order in the possession of the Guardians, and note the variances between that Order and the General Order.

(*d*) Article 8 of this Order, as to the payment of money by Collectors of Poor-rates, was rescinded by an Order dated 9th July, 1858.

(*e*) See note (*c*) in preceding page.

(*f*) This Order only applies to the Accounts of the Master of the Workhouse.

FORM OF POOR-RATE ORDER.

To the Guardians of the Poor of the several Unions set forth in the First and Second Schedules hereunto annexed ;—

To the Guardians of the Poor of the Parish of Great Yarmouth, in the County of Norfolk, set forth in the said Second Schedule hereunto annexed ;—

To the Churchwardens and Overseers of the Poor of the said several Parishes and Places comprised within the said several Unions ;—

To the Churchwardens and Overseers of the Poor of the said Parish of Great Yarmouth ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions and the said Parish of Great Yarmouth are respectively situate ;—

And to all others whom it may concern.

WHEREAS the Poor Law Commissioners, by an Order bearing date the Seventeenth day of March, One thousand eight hundred and forty-seven, being a General Rule, addressed (amongst others) to the Guardians of the Poor of the several Unions mentioned in the First Schedule hereunto annexed, and the Poor Law Board, by divers Orders, the dates whereof are respectively set forth in the Second Schedule hereunto annexed, addressed to the several Unions and to the Parish of Great Yarmouth therein also set forth, did, among other matters, Order

and Direct the Overseers of the Poor of every Parish in the said respective Unions, and the Overseers of the Poor of the said Parish of Great Yarmouth, to keep, among other things, a book termed a Rate Book, according to the forms and directions in the Schedules A. to the said several Orders annexed.

And whereas in many Parishes, by virtne of several Statutes in that behalf (*a*), the owners of certain tenements and hereditaments in such Statutes particularly described are liable to be assessed to the rates levied for the relief of the Poor in the place of the occupiers of such tenements and hereditaments, and it is expedient that a Form of Rate should be prescribed to meet such cases.

Now, therefore, We, the Poor Law Board, in pursuance of the powers given in and by the several Statutes in that behalf made and provided, do hereby Order and Direct, that in every Parish comprised in the several Unions in the Schedules hereunto annexed, and in the said Parish of Great Yarmouth, when, under the provision of any Statute or Statutes in that behalf, the owners of tenements and hereditaments liable to Poor-rates in any such Parish shall be assessed instead of the occupiers, the Overseers of such Parish shall, and in any Parish wherein the owners shall not be so assessed the Overseers at any time may, enter the rates to be hereafter levied for the relief of the Poor in a Rate Book in the following Form, containing the particulars therein set forth:—

(*a*) See 59 Geo. III. c. 12, s. 19; and also the 13 & 14 Vict. c. 99, which enacts that it shall be lawful for the Vestry of any Parish to declare and order that the owners of tenements, the yearly rateable value whereof shall not exceed £6, shall be rated and assessed to the rates for the relief of the poor in respect of such tenements instead of the occupiers thereof. In such case the owners are to be rated at three-fourths of the amount at which the tenement would otherwise have been liable to be rated at; and, if they compound for their rates, at a sum not less than one-half of such amount.

Form of
heading to the
"Rate,"
of our Lord One thousand eight hundred and
after the rate of
in the pound.
in the County of
day of
in the year

ARREARS.		RATE.												COLLECTION.					
No.	1	2 Due, or if excused.	3 If excused, write the word "excused."	4 Name of Occupier.	5 Name of (Owner.	6 Description of Property rated.	7 Name or Situation of Property	8 Estimated Extent.	9 Gross estimated Rental.	10 Rateable Value.	11 Rate at — in the Pound.	12 Amount of Rate assessed upon and payable by the Owner, instead of the Occupier, by virtue of the Statute or Statutes in that behalf.	13 Recoverable Arrears of former Rates.	14 Total Amount to be Collected.	15 Amount actually Collected.	16 Recoverable Arrear at balancing the book.	17 Amount legally excused.	18 Amount.	19 Causes.

We, do declare the several particulars specified in the respective columns of the above Rate to be true and correct so far as we have been able to ascertain them, to which end we have used our best endeavours.
We do also declare that the above Rate amounts in the whole to the sum of pounds shillings pence.

Overseer.
Overseer.
Churchwarden.
Churchwarden.

* * Under the 43 Eliz. c. 2, it is necessary that an actual majority of the Churchwardens and Overseers should sign the Rate, and the necessity of their doing so is in no ways lessened by there being an Assistant-Overseer appointed to discharge all the duties of an Overseer. There is, however, nothing to prevent the Assistant-Overseer signing it; but his signature will have no legal effect. See Art. 1 of the Order of 16th March, 1854, as to the casting-up of the several columns of the Rate Book.—W. C. G.

And We do hereby Order and Direct, that the said Overseers shall in all other respects conform to and duly observe the orders and directions contained in the afore-said several Orders applicable to them ; and that the rules and regulations prescribed in the said several Orders for the observance of the Collector and Assistant-Overseer shall be held to apply to the Form of Rate Book hereby directed or authorized to be kept, in like manner as if the same had been set forth in the said several Orders.

And We do further Order, that the several words "Overseers," "Collector," "Parish," and "Union," herein contained, shall be construed in like manner as is directed by the said several above-mentioned Orders.

The FIRST SCHEDULE referred to in the foregoing Order.

(The Unions in this Schedule are those which are included in the General Order for Accounts, *ante*, page 383.)

The SECOND SCHEDULE to which the above Order refers.

Names of Unions.	Dates of Orders issued subsequently to the General Order for Accounts.
Barnsley Barton-upon-Irwell Bedwellty Kirkby Moorside North Bierley Oldham Penistone Prestwich Samford	23rd April, 1850. 26th January, 1850. 28th November, 1849. 23rd December, 1848. 14th February, 1849. 20th November, 1848. 22nd November, 1849. 3rd August, 1850. 27th March, 1849.
Name of Parish. Yarmouth, Great . . .	 8th March, 1850.

Given under our Hands and Seal of Office, this Eighteenth day of November, in the year One thousand eight hundred and fifty.

M. T. BAINES, *President.*

G. GREY.

C. WOOD.

GEO. NICHOLLS, *Secretary.*

COLLECTION OF POOR-RATE ORDER (a).

To the Guardians of the Poor of the several Unions set forth in the Schedules hereunto annexed ;—

To the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said several Unions ;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said several Unions are respectively situate ;—

And to all others whom it may concern.

WHEREAS, by a General Order bearing date the Seventeenth day of March, One thousand eight hundred and forty-seven, and addressed to the Guardians of the Poor of the several Unions named in the Schedule F. thereunto annexed, being the several Unions set forth in the Second Schedule hereunto annexed, and to the Churchwardens and Overseers of the Poor of the several Parishes and Places comprised within the said Unions, and by divers Orders, the dates whereof are respectively set forth in the Third and Fourth Schedules hereunto annexed, addressed to the Guardians of the Poor of the several Unions mentioned in such Schedules, and to the Churchwardens and Overseers of the several Parishes comprised within such Unions, the Poor Law Commissioners and the Poor Law

(a) The reasons of the Poor Law Board for issuing this Order will be found stated at length in the Appendix to their Seventh Annual Report, page 27.

Board respectively have made certain Regulations with reference to the making and entering of the Poor-rates, and the giving of Receipts for the same, and the duties of the Collectors of the Poor-rate or Assistant-Overscer in reference to such Rate.

And whereas, by a General Order bearing date the Eighteenth day of November, One thousand eight hundred and fifty, addressed to the several Unions therein mentioned, being the several Unions set forth in the said Second and Third Schedules herunto annexed, the Poor Law Board did make certain alterations in the Orders as to the form of the Poor-rate.

And whereas it is expedient that certain alterations should be made in the several Orders as hereinafter mentioned, and that certain other Regulations should be added thereto.

Now, therefore, We, the said Poor Law Board, in pursuance of the powers given in and by the several Statutes in that behalf made and provided, do hereby reseind, from the Twenty-fifth day of March instant, all such parts of the Orders hereinbefore referred to which shall be inconsistent or at variance with anything herein contained.

And we do Order and Direet, from the said Twenty-fifth day of March instant, as follows :—

Art. 1.—The several columns of the *Rate Book* which contain the rateable value, and the rate in the pound assessed upon the several persons liable to be assessed, shall be added up at the foot of every page, and the general total shall be ascertained and set forth at the foot of the rate, before the same shall be submitted to the Justices for their allowance (b).

Art. 2.—If the Overseers shall deem it convenient, the rate may be divided into several portions corresponding with the several divisions of their Parish, so as to bring all the rateable property of each division together, and there

(b) See the Form of Rate Book in the Order of 18th November, 1850, page 393. The amounts ascertained at the foot of each page may be carried on to the next page, or the several totals brought together at the end of the rate, for a gross total.—*Instr. Letter.*

may be separate series of numbers for the assessments in every division.

Art. 3.—When the Owners of property are assessed instead of the Occupiers, the Overseers may, if they think proper, bring together and assess under one number all or any portion of the properties situated in the Parish, or in the separate division, where the Parish is divided into divisions, belonging to the same person, and for which he shall be liable to be assessed as owner (c).

Art. 4.—When any Overseer or Collector shall receive the whole amount due for Poor-rate from any Person assessed, he shall at that time, and not before, detach the Receipt applicable to such person's assessment from the Check-Book, and deliver the same, stamped with an adhesive stamp where the amount of the payment shall render such stamp necessary, to the person paying the same, and retain the note in the book.

He shall insert in the Receipt and in the Note thereof so retained the true date of the payment of the money.

When the rate shall be paid by instalments, the fact of every payment shall be noted on the back of the Receipt and on the Note thereof, and the Receipt shall not be given to the person paying the rate until the whole amount of the rate shall have been received, but an acknowledgment of the amount received shall be given in writing upon the demand note, or ticket, or otherwise, as the Collector or Overseer shall find convenient.

Art. 5.—The Form of the *Rate Receipt Check Book* shall be according to the Form set forth in the First Schedule hereunto annexed.

Art. 6.—The Collector shall every week pay over all moneys collected by him, or in his hands, belonging to the Parish, to the Banker whom the Overseers may direct, to be placed to the account of one or more of them; or, if directed by one of the Overseers, to the Treasurer of the

(c) Note that this is permissive, and not compulsory. If one number should be adopted for the whole of the properties, the several occupations should nevertheless appear in the assessment, as well as the names of the occupiers, and the rateable value of the tenements should be set out separately.

Guardians of the Union, in payment of any order from such Guardians then due ; or, in the absenee of any such direction, shall pay the same to one of the said Overseers in person ; provided that as often as at any time in the course of any week the sum or sums of money in the hands of such Collector belonging to the Parish shall together exceed Fifty Pounds, he shall forthwith pay over such sum or sums in the manner hereinbefore directed (*d*).

Art. 7.—The Collector shall balance the *Collecting and Deposit Book* monthly, at the times provided in the following Article.

Art. 8.—The Collector shall keep a book containing blank Forms of *Monthly Statements*, according to the Form set forth in the said several Orders first referred to, and shall every Month fill up one of such Statements with the several particulars set forth in the said *Form*, which statement shall be made up to the last day of every ealendar month inclusive ; excepting in the ease of the month of Mareh, when it shall be made up to the 25th, and in that of the month of September, when it shall be made up to the 29th ; so that any receipts or payments on the remaining days of those months respectively shall be included in the next monthly statement ; and he shall forthwith deliver a copy of such statement, signed by himself, to one or more of the Overseers and another to the Board of Guardians at their next ordinary meeting.

Provided that the Board of Guardians or the Overseers of the Parish may, if they think fit, require a statement containing the several particulars set forth in the said Form, to be made out and delivered to them respectively every week or fortnight ; and the Clerk to the Guardians shall preserve the copies forwarded to the Board of Guardians, and shall produce the same to the said Auditor at the next audit.

Art. 9.—The Collector shall at each audit produce to the Auditor an *unpaid Rates statement* (*e*), showing the name

(*d*) This Article in effect supersedes Art. 8 of the Order of Accounts, *ante*, page 303.

of every person rated to the relief of the poor in respect of whom there shall be, at the end of the half-year for which the audit is being held, any arrear of the rate made immediately before that in the course of collection at that time, with the other particulars set forth in the Form in the First Schedule hereunto annexed.

Art. 10.—The words herein used shall be construed in like manner as in the said first-mentioned General Order (*f*).

(*e*) Under section 32 of the 7 & 8 Vict. c. 101, the Overseers are liable for any money which may be lost through their neglect; and the Auditor is empowered to surcharge them therewith. The object of this statement is to enable the Auditor to ascertain whether any, and what amount of Poor-rates may have been so lost; and, also, whether any Poor-rates remain uncollected, which are recoverable, and which ought to have been collected. It is necessary for Overseers to bear this in mind, as by sect. 61 of 7 & 8 Vict. 101, every Collector or Assistant-Overseer is bound to obey the majority of the Overseers of the Parish for which he acts in all matters relating to the collection of the rates; and it must, at the same time, be remembered that the responsibility of the Overseers for the payment of contributions and other matters, is not diminished by the appointment of a Collector or Assistant-Overseer whom they themselves have the power of controlling.—*Instr. Letter*, 17th March, 1847.

(*f*) See Articles 52-59 of the Order of 17th March, 1847, page 339.

SCHEDULES referred to in the foregoing Order.

FIRST SCHEDULE.

The Rate Receipt Check Book.

NOTE.

RECEIPT.

Union.

This part is to be retained by the Overseers.

Parish of _____ .	Parish of _____ the _____ day of _____
the _____ day of _____ 185 _____ .	18 _____ .
Mr. _____	Received of _____
Rate made on the _____	the Sum of _____ in respect of _____
day of _____	Poor-rate of the above Parish, viz. :—
£ _____	Rate made the _____ day of _____ 18 _____ .
Arrear £ _____	on _____ Assessment at _____
	in the Pound
	Arrear of former Rate
£ _____	Total
	(Signed) _____

The Collector's Unpaid Rates Statement,—

Showing the Parties rated to the Relief of the Poor who are in arrear in respect of the under-mentioned Rate made during the Half-year ended (Lady or Michaelmas) Day immediately before that in course of Collection on that day.

Parish of _____

Date of the Rate.	Number in Rate-book.	Name of the Person assessed.	Rateable Value.	At what Rate per £l.	Amount of Rate.	Reason why not paid.
			£ s. d.		£ s. d.	

Dated _____

Collector.

If the Collector should be provided with a list of persons legally excused by Justices, in conformity with the Statute 54 Geo. III. c. 170, s. 11, with the number placed against their names, it will be sufficient for him to fill up the last four columns of this Form, by inserting the total amount excused from each rate, and the total amount of the corresponding rateable value; and it will not be necessary to insert the numbers or the names of the persons excused.

SECOND SCHEDULE.

(The Unions in this Schedule are those which are included in General Order for Accounts, *ante*, page 383.)

THIRD SCHEDULE.

Names of Unions included in the General Order dated the 18th November, 1850.	Dates of Orders issued subsequently to the General Order for Accounts.
Barnsley	23rd April, 1850.
Barton-upon-Irwell . . .	26th January, 1850.
Bedwellty	28th November, 1849.
Kirkby Moorside	23rd December, 1848.
North Bierley	14th February, 1849.
Oldham	20th November, 1848.
Penistone	22nd November, 1849.
Prestwich	3rd August, 1850.
Samford	27th March, 1848.

FOURTH SCHEDULE.

Names of Unions.	Dates of Orders issued subsequently to the General Order for Accounts, and also to the General Order of the 18th Nov. 1850.
Hawarden	5th March, 1853.
Hemsworth	22nd November, 1850.
Holyhead	19th February, 1853.
Ripon	8th February, 1853.
Whitehureh (Salop) . .	25th February, 1853.

Given under our Hands and Seal of Office, this Sixteenth day of March, in the year One thousand eight hundred and fifty-four.

M. T. BAINES, *President.*

PALMERSTON.

W. E. GLADSTONE.

GRENVILLE C. L. BERKELEY, *Secretary.*

COLLECTOR OF POOR-RATES ORDER.

To the Guardians of the Poor of the — Union(a), in the County of —;—

To the Churchwardens and Overseers of the Poor of the Parish of —, in the said Union;—

To the Clerk or Clerks to the Justices of the Petty Sessions held for the Division or Divisions in which the said Union is situate;—

And to all others whom it may concern.

WE, the Poor Law Board, acting under the authority of the several Statutes in that behalf made and provided, having received an application from the Guardians of the Poor of the — Union, in the County of —, to direct the appointment of a paid Collector of the Poor-rates in the Parish of — within the said Union, hereby Order and Direct the said Guardians, *within one calendar month from the date hereof*, to appoint a fit and proper person to collect the rates assessed for the relief of the Poor in the said Parish to be termed Collector of the Poor-rates.

And We further Order with respect to such appointment, as follows; that is to say (b):—

(a) The instances in which Orders for the appointment of Collectors of Poor-rates for individual parishes have been issued are so numeroust that it is considered unnecessary to insert a list of them in this work.

(b) In many instances the Order for the appointment of a Collector of Poor-rates, and prescribing his duties, etc., varies from the present form of Order. In each case it is therefore necessary that the Order actually issued should be consulted.

MODE OF APPOINTMENT.

Art. 1.—Every Officer to be appointed under this Order shall be appointed by a majority of the Guardians present at a meeting of the Board, and voting on the question of such appointment.

Every such appointment shall, as soon as the same has been made, be reported to the Poor Law Board by the Clerk.

Art. 2.—Previous to an appointment to the aforesaid Office being made under this Order, a notice that the question of making such appointment will be brought before the Board of Guardians, shall be given and entered on their minutes, at one of the two ordinary meetings of the said Board next preceding the meeting at which the appointment is made, or an advertisement, giving notice of the consideration of such appointment, shall be inserted in some public newspaper, by the direction of the Guardians, at least seven days before the day on which such appointment is made. Provided that no such notice or advertisement shall be necessary for the appointment of a temporary substitute.

QUALIFICATION.

Art. 3.—Every person who shall be appointed to the office of Collector under this Order shall agree to give one month's notice previous to resigning the office, or to forfeit one month's amount of salary, to be deducted, as liquidated damages, from the amount of salary due at the time of such resignation.

DUTIES OF THE OFFICER.

Art. 4.—The duties of the Collector shall be :—

No. 1. To assist the Churchwardens and Overseers in making, assessing, and levying the Poor-rates of the said Parish.

No. 2. To collect the Poor-rates from the parties assessed thereto in the said Parish (c).

(c) The Collector is not bound to take the Rate-book with him when he collects the rate but any ratepayer can obtain an

Art. 1.—No. 3. To assist the said Churchwardens and Overseers in filling up receipts, keeping all books, and making all returns which relate to any matter concerning the Poor-rates of the said Parish.

No. 4. At all times, when required by such Churchwardens and Overseers, to produce to them respectively the Rate Books and other Account Books in his custody relating to the said Parish, and to balance the said rates, and to furnish the said Churchwardens and Overseers of the Poor and the Board of Guardians with a true list of all defaulters in the payment of Poor-rates due to such Parish, and under their direction to institute and attend to proceedings against such defaulters.

No. 5. To attend the meetings of the Guardians of the said Union, when required by them, and to obey all lawful orders and directions of such Guardians, and of the majority of the said Churchwardens and Overseers of the Poor (*d*).

No. 6. To perform all the duties prescribed by the Poor Law Commissioners in their General Order dated the Seventeenth day of March, One thousand eight hundred and forty-seven, and in the General Order of the Poor Law Board bearing date the Sixteenth day of March, One thousand eight hundred and fifty-four, so far as the same relate to the office of Collector, and all Rules, Orders, and Regulations to be hereafter issued by the Poor Law Board applicable to his office.

REMUNERATION OF THE OFFICER.

Art. 5.—The Board of Guardians shall pay to the officer

inspection of the books in the manner provided for by 17 Geo. II. c. 3, s. 2; 17 Geo. II. c. 38, s. 1; 6 & 7 Wm. IV. c. 96, s. 5; and 6 & 7 Viet. c. 18, s. 16.

(*d*) With reference to this regulation, the Poor Law Board say that a direction of the Guardians to the Collectors to produce their Rate and other books when they attend before the Guardians, appears to be a "lawful Order" within the meaning of the regulation.—56 O. C. (N. S.) 67.

appointed to the office of Collector under this Order a salary of — pounds per annum, and charge the same to the said Parish (e).

Art. 6.—The salary of such Officer shall be payable up to the day on which he ceases to hold such office, and no longer, and shall be paid by quarterly payments at the several quarters ending at the usual Feast Days in the year, namely, Christmas-day, Lady-day, Midsummer-day, and Michaelmas-day, with a proportionate sum to be paid to his executors or administrators in case he shall die while holding such office; but it shall be competent for the Guardians to defer, in whole or in part, the payment of the salary of such Collector until his accounts shall have been audited and allowed by the Auditor, after which audit and allowance the sum due up to the date of his accounts so audited shall forthwith be paid.

No Collector who may be suspended, and who shall, upon such suspension, resign, or be removed by the Poor Law Board, shall be entitled to any salary from the date of such suspension; and no such Officer who shall be temporarily suspended from his office, by reason of his services not being required, shall be entitled to any salary pending such temporary suspension.

SECURITY.

Art. 7.—The person appointed to such office shall give a bond in such penal sum as the said Guardians shall think fit, in the names of himself and two sufficient sureties, not being officers of the aforesaid Union, conditioned for the due and faithful performance of the duties of the office; and every such Collector shall give immediate notice to the said Guardians of the death, insolvency, or bankruptcy of either of such sureties, and shall, when required by the said Guardians, produce a certificate, signed by two house-

(e) Sometimes the Order provides that the Collector shall be paid by a poundage on the Poor-rates collected. It may be stated here that the salary or other remuneration of the Collector appointed under this Order must be paid by the Guardians, and charged by them to the particular parish, and not by the Overseers of the Parish.

holders, that his sureties are alive and believed by them to be solvent, and shall supply a fresh surety in the place of any such surety who may die, or become bankrupt or insolvent. Provided that the Guardians may, if they think fit, take the security of any society or company expressly authorized by statute to guarantee or secure the faithful discharge of the duties of any Poor Law Officer.

CONTINUANCE IN OFFICE AND SUSPENSION OF OFFICER.
—SUPPLY OF VACANCY.

Art. 8.—Every Collector shall hold the said office until he shall die, or resign, or be removed by the Poor Law Board, or be proved to be insane by evidence which such Board shall deem sufficient; and upon such death, resignation, removal, or insanity of any such Officer, the said Guardians shall give notice thereof to the Poor Law Board, and proceed to appoint some person in his place, according to the provisions of this Order; and in every case of a resignation, the said Guardians shall transmit to the Poor Law Board a statement of the cause of such resignation, so far as it may be known to them.

Art. 9.—The said Guardians may, at their discretion, suspend from the discharge of his duties any such Collector, and shall, in case of every such suspension, forthwith report the same, together with the cause thereof, to the Poor Law Board, for their decision thereon; and if the Poor Law Board remove the suspension of such Collector by the Guardians, he shall forthwith resume the performance of his duties.

Art. 10.—If any such Collector be at any time prevented by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay such person a reasonable compensation for his services; and every such appointment, with a statement of the circumstances which have led to it, shall be reported to the Poor Law Board, as soon as the same shall have been made, by the Clerk to the Guardians.

Given under our Hand and Seal of Office, etc.

PAY-CLERK OF THE POOR ORDER (f).

To the Guardians of the Poor of the Parish of —, in the
County of —;—

To the Churchwardens and Overseers of the Poor
of the said Parish;—

To the Clerk or Clerks to the Justices of the
Petty Sessions held for the Division or Divi-
sions in which the said Parish is situate;—

And to all others whom it may concern.

WE, the Poor Law Board, acting under the authority of the several Statutes in this behalf made and provided, do hereby Order and Direct the Guardians of the Poor of the — in the County of —, within one calendar month from the date hereof, to appoint a fit and proper person for the distribution of relief to the Poor of the said — to be termed the Pay-Clerk of the Poor of the said —.

And We do further Order, with respect to such appointment, as follows; that is to say,—

QUALIFICATION.

Art. 1.—Every person who shall be appointed to the office of Pay-Clerk under this Order shall agree to give one month's notice previous to resigning the office, or to forfeit one month's amount of salary, to be deducted as liquidated damages from the amount of salary due at the time of such resignation.

MODE OF APPOINTMENT.

Art. 2.—Every person who shall be appointed to the

(f) This form of Order is in accordance with the Order issued to the Township of Toxteth Park.

office of Pay-Clerk under this Order, shall be appointed in like manner and subject to the same Rules and Regulations as are required for the appointment of Officers under an Order of the Poor Law Board, bearing date the — day of —, One thousand eight hundred and —, and addressed to the Guardians of the Poor of the said — (a).

DUTIES OF THE OFFICER.

Art. 3.—The duties of the Pay-Clerk shall be as follows, namely:—

No. 1. To attend at the office provided by the said Guardians for the distribution of relief to paupers, at such times as the said Guardians shall require, and to distribute from the funds and stores under his care the relief ordered by them to be given to the paupers of the said —, on receiving from the several Relieving Officers of the said — tickets according to the Form (A.) hereunto annexed, in which the relief ordered by the said Guardians to be given to the poor persons presenting the same at such office shall have been properly entered.

No. 2. To keep punctually and accurately, a book, to be called “The Pay Book,” in the Form (B.) hereunto annexed, and enter therein the sums of money given in relief, and the value of relief in kind given by him to every person presenting a ticket for relief as aforesaid, such entry to be made after, and not before, the relief shall have been actually given; and to keep a separate account in such book of the relief paid to the non-settled poor.

No. 3. To keep punctually and accurately a book, to be called “The Pay-Clerk’s Receipt and Expenditure Book,” in the Form (C.) hereunto annexed, and to enter therein all moneys received and disbursed by him, and all tickets for relief discharged by him; and to balance such account weekly.

(a) See Art. 155, etc., *ante*, page 99.

Art. 3.—No. 4. To present his accounts weekly to the Clerk to the Guardians of the said — for his inspection and authentication, before every ordinary meeting of the Guardians, and to the Guardians, at such meeting, for their approval.

No. 5. To submit to the Auditor all his books, accounts, and vouchers, at the time and place of audit.

No. 6. To attend the meetings of the Guardians of the said —, when required by them.

No. 7. To observe and execute all lawful orders and directions of the Guardians applicable to his office.

No. 8. To perform all the duties prescribed by any Rules, Orders, and Regulations which may be issued by the Poor Law Board applicable to his office.

REMUNERATION OF THE OFFICER.

Art. 4.—The Board of Guardians shall pay to the Officer appointed under this Order to the office of Pay-Clerk, an annual salary of — pounds, and charge the same to the said —.

Art. 5.—The salary of such Officer shall be payable up to the day on which he ceases to hold such office, and no longer, and shall be paid by quarterly payments at the several quarters ending at the usual Feast Days in the year, namely, Christmas-day, Lady-day, Midsummer-day, and Michaelmas-day, with a proportionate sum to be paid to his executors or administrators in case he shall die while holding such office; but it shall be competent for the Guardians to defer in whole or in part the payment of the salary of such Pay-Clerk until his accounts shall have been audited and allowed by the Auditor, after which audit and allowance the sum due up to the date of his accounts so audited shall forthwith be paid.

No Pay-Clerk who may be suspended, and who shall, upon such suspension, resign or be removed by the Poor Law Board, shall be entitled to any salary from the date of such suspension; and no such Officer who shall be temporarily suspended from his office by reason of his services not being required, shall be entitled to any salary pending such temporary suspension.

Art. 6.—The said Officer shall not, directly or indirectly, receive or bargain to receive any gratuity, percentage, or allowance of any kind with reference to any contract with the Guardians, or in respect of any payment made or to be made for goods supplied or work executed according to the order of such Guardians, or on their behalf.

SECURITY.

Art. 7.—The person appointed to such office shall give a bond in such penal sum as the said Guardians shall think fit, in the names of himself and two sufficient sureties, not being Officers of the aforesaid —, conditioned for the due and faithful performance of the duties of the office; and he shall give immediate notice to the said Guardians of the death, insolvency, or bankruptcy of either of such sureties, and shall, when required by the said Guardians, produce a certificate, signed by two householders, that his sureties are alive and believed by them to be solvent, and shall supply a fresh surety in the place of any such surety who may die, or become bankrupt or insolvent: Provided that the Guardians may, if they think fit, take the security of any society or company expressly authorized by statute to guarantee or secure the faithful discharge of the duties of any Poor Law Officer (*b*).

CONTINUANCE IN OFFICE AND SUSPENSION OF OFFICER. —SUPPLY OF VACANCY.

Art. 8.—Every Officer appointed under this Order shall hold the said office until he shall die, or resign, or be removed by the Poor Law Board, or be proved to be insane, by evidence which such Board shall deem sufficient; and upon such death, resignation, removal, or insanity of any such Officer, the said Guardians shall give notice thereof to the Poor Law Board, and proceed to appoint some person in his place, according to the provisions of this Order, and in every case of a resignation the said Guardians shall transmit to the Poor Law Board a statement of the cause of such resignation, so far as it may be known to them.

(*b*) See Art. 185, *ante*, page 118.

Art. 9.—The said Guardians may, at their discretion, suspend from the discharge of his duties any such Pay-Clerk, and shall, in case of every such suspension, forthwith report the same, together with the cause thereof, to the Poor Law Board, for their decision thereon; and if the Poor Law Board remove the suspension of such Pay-Clerk by the Guardians, he shall forthwith resume the performance of his duties.

Art. 10.—If any Officer appointed under this Order be at any time prevented by sickness or accident, or other sufficient reason, from the performance of his duties, the Guardians may appoint a fit person to act as his temporary substitute, and may pay such person a reasonable compensation for his services; and every such appointment, with a statement of the circumstances which have led to it, shall be reported to the Poor Law Board, as soon as the same shall have been made, by the Clerk to the Guardians.

FORM (A.)

Out-Relief Ticket.

Parish of _____

Mr. _____ pay to _____

the following Relief, viz.,

185 .

Week.	Money.	Loaves.	Week.	Money.	Loaves.	Week.	Money.	Loaves.
1 (Date.)			1 (Date.)			1 (Date.)		
2 (Date.)			2 (Date.)			2 (Date.)		
3 (Date.)			3 (Date.)			3 (Date.)		

Signature of Relieving Officer.

FORM (B.)

Pay Book.

Parish of _____

Half-year ending_____

Pay Clerk.

Name of the Pauper.	Where resi- dent.	1st Week, ending		2nd Week, etc. to 13th Week.	Totals for the First Quarter.		1st Week, ending		2nd Week, etc. to 13th Week.	Totals for the Second Quarter.		Totals for the Half- year.	
		In Money.	In Kind.		In Money.	In Kind.	In Money.	In Kind.		In Money.	In Kind.	In Money.	In Kind.
Weekly Totals .													
					£ s. d.						£ s. d.	£ s. d.	
						Initials of } Clerk					Correct.	Correct.	

Instructions as to filling up this Form.

1. The same Person is on no account to be entered twice in the half-year.
2. In the Column headed "Name of the Pauper," the name of the head of the family alone is to be inserted.
3. For relief in kind enter its equivalent value in money.

FORM (C.)

The Pay Clerk's Receipt and Expenditure Book.

Parish of _____

Week of the Quarter ending _____ 18

Pay-Clerk in account with the Board of Guardians of the
Parish of

[illegible]

Given under our Hand and Seal of Office, this
day of in the year One thousand eight hun-
dred and .

President.

Secretary.

Orders authorizing the appointment of Pay-clerks have been issued to the following places, on the dates under-mentioned :—

Birmingham 16th January, 1850.

Manchester 31st May, 1850.

Leeds 16th May, 1848.

Toxteth Park 19th November, 1857.

* * In acting upon these Orders, the originals in the possession of the respective Boards of Guardians should be consulted.



APPENDIX.

I.

STATUTES RELATING TO THE RULES, ORDERS, AND REGULATIONS OF THE POOR LAW COMMISSIONERS AND POOR LAW BOARD.

Administration of Relief to the Poor placed under control of the Poor Law Commissioners, who are to make Rules and Regulations.

4 & 5 WILL. IV. c. 76.

§ 15. FROM and after the passing of this Act (*i. e.* 14th August, 1834), the administration of relief to the poor throughout England and Wales, according to the existing laws, or such laws as shall be in force at the time being, shall be subject to the direction and control of the said Commissioners, and for executing the powers given to them by this Act, the said Commissioners shall and are hereby authorized and required, from time to time as they shall see occasion, to make and issue all such Rules, Orders, and Regulations for the management of the poor, for the government of Workhouses and the education of the children therein and for the apprenticing the children of poor persons, and for the guidance and control of all Guardians, vestries, and Parish Officers, so far as relates to the management or relief of the poor, and the keeping, examining, auditing, and allowing of accounts, and making and entering into contracts in all matters relating to such management or relief, or to any expenditure for the relief of the poor, and for carrying this Act into execution in all other respects as they shall think proper; and the said Commissioners may, at their discretion, from time

to time, suspend, alter, or rescind such Rules, Orders, and Regulations, or any of them: provided always, that nothing in this Act contained shall be construed as enabling the said Commissioners or any of them to interfere in any individual case for the purpose of ordering relief (a).

Commissioners may make Rules, etc., for Workhouses, and vary Bye-Laws.

Id. § 42. The said Commissioners may and are hereby authorized, by writing under their hands and seal, to make Rules, Orders, and Regulations, to be observed and enforced at every Workhouse already established by virtue of the said recited Act made and passed in the twenty-second year of the reign of his said late Majesty King George the Third, intituled, "*An Act for the better Relief and Employment of the Poor*," or any general or local Act of Parliament, or hereafter to be established by virtue of such Acts or of any of them, or of this or any other Act of Parliament relating to the relief of the poor, for the government thereof, and the nature and amount of the relief to be given to and the labour to be exacted from the persons relieved, and the preservation therein of good order, and from time to time to suspend, alter, vary, amend, or rescind the same, and make any new or other Rules, Orders, and Regulations, to be observed and enforced as aforesaid, as they from time to time shall think fit, and to alter, at their discretion, any of the Rules, Orders, and Regulations, contained in the Schedule to the said recited Act, and also to alter or rescind any Rules, Orders, and Regulations heretofore made in pursuance of the said recited Act, or any local Act of Parliament relating to Workhouses or the relief of the poor; and that all Rules, Orders, and Regulations to be from time to time made by the said Commissioners under the authority of this Act shall be valid and binding, and shall be obeyed and observed as if the same were specifically made by and embodied in this Act; subject, nevertheless, to the said power of the said Commissioners from time to time to rescind, amend, suspend, or alter the same.

(a) Their Orders, how far impeachable, see *Frewin v. Lewis*, 9 Sim. 66, 1 Lum. P. L. C. 24. How to be questioned: *Reg. v. St. Luke, Middlessex*, 2 Lumley, P. L. C. 11. Their Orders upon a vestry under a local Act: *Reg. v. Poor Law Commissioners, in re St. Giles-in-the-Fields and St. George, Bloomsbury*, 17 Q. B. 445; 20 L. J. R. (N. S.), M.C. 236.

Rules, etc., affecting more than one Union to be deemed General Rules.

Ib. Provided always, that if any such Rule, Order, or Regulation shall be, at the time of issuing the same, directed to and affect more than one Union, the same shall be considered as a general rule, and subject and liable to all the provisions in this Act contained respecting general Rules (*b*).

Commissioners may direct Overseers and Guardians to appoint paid Officers.

Ib. § 46. It shall be lawful for the said Commissioners, as and when they shall see fit, by Order under their hands and seal, to direct the Overseers or Guardians of any Parish or Union, or of so many Parishes or Unions as the said Commissioners may in such Order specify and declare to be united for the purpose only of appointing and paying Officers, to appoint such paid Officers (*c*), with such qualifications as the said Commissioners shall think necessary for superintending or assisting in the administration of the relief and employment of the poor, and for the examining and auditing, allowing or disallowing of accounts in such Parish or Union, or united Parishes (*d*), and otherwise carrying the provisions of this Act into execution.

And fix their Duties, and the Mode of Appointment and Dismissal, and the Security.

Ib. And the said Commissioners may and they are hereby empowered to define and specify and direct the execution of the respective duties of such Officers, and the places or limits within which the same shall be performed, and direct the mode of the appointment and determine the continuance in office or dismissal

(*b*) Power to interfere with alteration of Workhouses: *Reg. v. Poor Law Commissioners, ex parte Brighton*, 2 Lumley, P. L. C. 9. To order Guardians to erect a Workhouse: *Re St. Mary Abbott's, Kensington*, 8 Q. B. 291; 16 L. J. R. (N. S.), M. C. 29.

(*c*) Appointment of Officers to a Gilbert's Union: *Reg. v. The Poor Law Commissioners, in re Alstonefield Incorporation*, 11 A. & E. 558; 2 Lum. P. L. C. 1. Appointment of Chaplain: *Reg. v. Braintree*, 1 A. & E. (N. S.), 130; 2 Lum. P. L. C. 4. Returning Officer at election of Guardians: *Reg. v. Hunt*, 12 A. & E. 130; 2 Lum. P. L. C. 8. Power to determine continuance in office of a paid Officer in a Parish under a local Act: *Reg. v. St. James, Westminster*, 17 Q. B. 474. To order appointment of Master of Workhouse in a place under a local Act: *Reg. v. Oxford*, 17 Q. B. 457. To dismiss paid Officers: *Re Teather and Poor Law Commissioners*, 19 L. J. R. (N. S.), M. C. 70.

(*d*) See 7 & 8 Vict. c. 101, § 32, *post*.

of such Officers, and the amount and nature of the security to be given by such of the said Officers as the said Commissioners shall think ought to give security.

And Regulate their Salaries.

Ib. And when the said Commissioners may see occasion, to regulate the amount of salaries payable to such Officers respectively, and the time and mode of payment thereof, and the proportions in which such respective Parishes or Unions shall contribute to such payment; and such salaries shall be chargeable upon and payable out of the poor-rates of such Parish or Union, or respective Parishes, in the manner and proportions fixed by the said Commissioners, and shall be recoverable against the Overseers or Guardians of such Parish or Union, or Parishes, by all such ways and means as the salaries of Assistant-overseers or other paid Officers of any Parish or Union are recoverable by law; and all such payments shall be valid, and shall be allowed in the accounts of the Overseers or Guardians paying the same.

Paid Officers to be under order of Commissioners, and removable by them.

Ib. § 48. The said Commissioners may and they are hereby authorized and empowered, as and when they shall think proper, by order under their hands and seal, either upon or without any suggestion or complaint in that behalf from the Overseers or Guardians of any Parish or Union, to remove any Master of any Workhouse, or Assistant-Overseer, or other paid Officer of any Parish or Union whom they shall deem unfit for or incompetent to discharge the duties of any such office, or who shall at any time refuse or wilfully neglect to obey and carry into effect any of the Rules, Orders, Regulations, or Bye-Laws of the said Commissioners, whether such Union shall have been made or such Officer appointed before or after the passing of this Act, and to require from time to time the persons competent in that behalf to appoint a fit and proper person in his room; and any person so removed shall not be competent to be appointed to or to fill any paid office connected with the relief of the poor in any such Parish or Union, except with the consent of the said Commissioners under their hands and seal: Provided always, that no person shall be eligible to hold any Parish Office, or have the

management of the poor in any way whatever, who shall have been convicted of felony, fraud, or perjury (*dd*).

How Rules, etc., are to be made.

10 & 11 Vict. c. 109, § 14. From and after the day on which the Commissioners first appointed under this Act (*i. e.* the Poor Law Board) shall enter on their office, the power vested in the Poor Law Commissioners to make Rules, Orders, and Regulations, and from time to time to vary or rescind the same, shall be vested in the Commissioners constituted under this Act, to be exercised by them in the manner hereinafter specified, and the Commissioners shall make all such Rules, Orders, and Regulations under their seal except such as are intended only for their own guidance or procedure, or for the guidance or procedure of any persons appointed or employed by them for the business of their office, and shall make all general Rules under their seal, and under the hands of three or more of the Commissioners, of whom the President shall be one.

Definition of Rules, Orders, and Regulations.

4 & 5 Wm. IV. c. 76, § 109. . . . The words "general rule" shall be construed to mean any rule relating to the management of the poor or to the execution of this Act which shall at the time of issuing the same be addressed by the said Commissioners to more than one Union, or to more Parishes or Places than one not forming a Union, or not to be formed into or added to a Union under or by virtue of such rule; . . . the words "Orders and Regulations" shall be construed to mean and include any Rule, Order, Regulation, or Byc-Law relating to the management or relief of the poor, or the execution of this Act, which at the time of issuing the same shall be addressed, directed, or applied to any one Parish or Union, or to any number of Parishes which have been or by virtue of this Act shall be constituted a Union or added to a Union. . . .

10 & 11 Vict. c. 109, § 15. And be it enacted, that every Rule, Order, or Regulation of the Commissioners which at the time of issuing the same shall be directed to and affect more

(*dd*) A violation of the Excise laws is not a fraud within the meaning of this enactment, neither would a conviction under the 14 & 15 Vict. c. 105, s. 1, come within it; but a conviction for larceny, which is a kind of felony, would disqualify a person for holding office.

than one Union, shall be deemed a general Rule, and every Rule, Order, and Regulation made to vary or rescind a general Rule, whether it be directed to or affect one or more than one Union, shall also be deemed a general Rule.

Disallowance of General Rules by the Queen in Council.

Ib. § 17. And be it enacted, that if her Majesty shall be pleased at any time, by the advice of her Privy Council, to disallow any such general Rule, or any part thereof, the same, so far as it shall have been so disallowed, shall cease to be of any force or validity, except as to all things lawfully done under the same before such disallowance, which shall be and continue to be valid.

Confirmation of existing Rules.

Ib. § 18. Provided always, and be it declared and enacted, that all lawful Rules, Orders, and Regulations of the Poor Law Commissioners made before the day on which the Commissioners first appointed under this Act shall enter on their office shall continue in full force and effect until rescinded or varied under the authority of this Act.

General Rules to be laid before Parliament.

4 & 5 Wm. IV. c. 76, § 17. And be it further enacted, that all general rules for the time being in force at the commencement of every session of Parliament, and which shall not previously have been submitted to Parliament, shall from time to time, within one week after the commencement of every such session, be laid by one of his Majesty's principal Secretaries of State before both Houses of Parliament.

Rules, Orders, etc., to be sent to Overseers, etc., before they shall come into operation.

Ib. § 18. And be it further enacted, that a written or printed copy of every Rule, Order, or Regulation of the said Commissioners shall, before the same shall come into operation in any Parish or Union, be sent by the said Commissioners, by the post, or in such manner as the Commissioners shall think fit, sealed or stamped with their seal, addressed to the Overseers of such Parish, the Guardians of such Union or their Clerk, and to the

Clerk to the Justices of the Petty Sessions held for the division in which such Parish or Union shall be situate.

Publicity to be given to Rules.

Ib. And such Overseers, Guardians, or their Clerk, and Clerks to the Justices aforesaid, are hereby required to keep and preserve, notify, and give publicity to such Rules, Orders, and Regulations in such manner as the said Commissioners shall direct, and also to allow every owner of property or his agent, or any ratepayer, in every such Parish or Union, to inspect the same at all reasonable times, free of any charge for such inspection, and to furnish copies of the same, being paid for such copies at and after the rate of threepence for every folio of seventy-two words, and to allow copies or extracts thereof to be taken on being paid for so doing after the rate of three-halfpence for every folio of seventy-two words.

Penalty on Overseer, etc., neglecting to give Publicity, etc.

Ib. And in case any such Overseer, Guardian, Clerk, or Clerk to the Justices, to whom such Rules, Orders, or Regulations, or copies thereof, shall be sent as aforesaid, shall neglect to keep and preserve, notify, and give publicity to the same in the mode prescribed or directed by the said Commissioners, or shall refuse such inspection, or to furnish or allow such copies thereof to be taken as aforesaid, every person so offending shall for every such offence be subject and liable to a penalty not exceeding the sum of ten pounds, nor less than forty shillings, to be recoverable in the same manner as any penalties are by this Act directed to be recovered.

Disallowance of Rule to be notified in like manner.

Ib. Provided also, that if any such Rule shall, after the same shall have come into operation, be disallowed in manner hereinbefore mentioned, or revoked by the said Commissioners, then and in every such case the said Commissioners shall send, by the post, or in such manner as they shall think fit, to every Parish or Union affected by the said Rule, notice of such disallowance or revocation; such notice of disallowance or revocation to be addressed, kept, preserved, notified, and publicly inspected, and copies thereof furnished or allowed to be taken, in such and the same manner and subject to the same penalties as are herein

before mentioned respecting the Rules, Orders, and Regulations of the said Commissioners.

Time of Operation of Rules, etc.

Ib. § 20. . . . No Rule, Order, or Regulation of the said Commissioners, except Orders made in answer to the statements and reports hereinafter authorized to be made by Overseers or Guardians to the said Commissioners, shall be in force until the expiration of fourteen days after a written or printed copy of the same shall have been sent by the said Commissioners, sealed or stamped, and addressed as lastly hereinbefore is mentioned.

General not to be altered by particular Rules, without Secretary of State's consent.

5 & 6 Viet. c. 57, § 3. And be it enacted, that whenever any general Rule of the said Commissioners shall be in force, it shall not be lawful for the said Commissioners to issue any particular Rule, Order, or Regulation, addressed to any single Parish or Union, by which such general Rule or any part thereof would be rescinded or suspended, unless one of her Majesty's principal Secretaries of State have first signified to the said Commissioners his approval of such particular Rule in writing.

Time of Operation of certain Rules and Orders in cases of Urgency.

Ib. § 4. And be it enacted, that every Order of the said Commissioners suspending or dismissing any paid Officer from the exercise of his office, in which the said Commissioners shall declare that the urgency of the case requires that such Order should take effect within the period of fourteen days, shall come into force at such time as the said Commissioners shall in such Order direct, notwithstanding that fourteen days shall not have expired since a written or printed copy of the same shall have been sent by the said Commissioners, as required by the first-recited Act.

Orders may be acted upon within the fourteen days after being sent.

12 & 13 Viet. c. 103, § 12. " And whereas by the said Act of the fifth year of the reign of his late Majesty King William the Fourth provision is made for the sending of copies of the Rules, Orders, and Regulations of the Poor Law Commissioners to cer-

tain persons therein described (e) ; and it is also therein enacted, that no Rule, Order, or Regulation of the said Commissioners, except certain Orders therein specially excepted, shall be in force until the expiration of fourteen days after the copies thereof shall have been sent by the said Commissioners (f) : And whereas parties to whom such Orders have been addressed have often acted in conformity therewith within the period of fourteen days, and it is often convenient that they should do so : ” Be it therefore enacted, that nothing in the said Act contained shall be taken to invalidate any act or proceeding heretofore or hereafter to be done or taken in conformity with any Order of the said Commissioners or of the Poor Law Board by the person or persons to whom the same shall have been or shall be addressed, although the period of fourteen days shall not have elapsed from the sending of the copies of the said Order when any such act shall have been done or proceeding taken.

Rules, etc., to be printed by the Printer authorized by her Majesty to be received in evidence.

7 & 8 Vict. c. 101, § 71. “And whereas it is provided by the said first-recited Act (g) that all Rules, Orders, and Regulations made by the said Commissioners under the authority of the said Act shall be as valid and binding, and shall be obeyed and observed, as if the same were specifically made by and embodied in the said Act ; but no sufficient provision is made for bringing such Orders to the knowledge of Courts of Justice : ” Be it therefore enacted, that any copy of any such Rule, Order, or Regulation, printed by the printer duly authorized by her Majesty or any of her royal predecessors or successors, shall, after the lapse of fourteen days from the date thereof, be received in evidence, and judicially taken notice of, and shall, until the contrary be shown, be deemed sufficient proof that such Order was duly made, and is in force (h).

Evidence in Legal Proceedings of the transmission of the Commissioners’ Rules, etc.

Ib. § 72. “And whereas it is provided by the said first-recited Act that a written or printed copy of every Rule, Order, or Regulation of the said Commissioners shall, before the same shall

(e) 4 & 5 Wm. IV. c. 76, s. 18.

(f) *Ibid.* s. 20.

(g) See 4 & 5 Wm. IV. c. 76, s. 42.

(h) See 10 & 11 Vict. c. 109, ss. 14–18 ; 12 & 13 Vict. c. 103, ss. 12, 13.

come into operation in any Parish or Union, be sent by the said Commissioners by the post, or in such manner as the Commissioners shall think fit, sealed or stamped with the seal, addressed to the Overseers of such Parish, the Guardians of such Union, or their Clerk, and to the Clerk to the Justices of the Petty Sessions held for the division in which such Parish or Union shall be situate: And whereas the proof of such sending is often attended with great expense and difficulty:" Be it enacted, that it shall not in any civil or criminal proceeding be necessary to prove such sending, except to the Clerk to the Guardians of the Union or of the Parish, or, where there shall be no Guardians, to the Overseers of the Parish within which such Rule, Order, or Regulation is intended to have effect; and that it shall in no case be necessary to prove such sending, unless reasonable notice in writing be given, by the party requiring such proof, to the party upon whom such proof would lie, that such proof will be required; and whenever it is proved to the satisfaction of the Court that the said Rule, Order, or Regulation was sent, and that the party was cognizant thereof, such Court shall order the reasonable expenses of the witness or witnesses proving the same to be paid by the party who has given such notice, and such expenses shall be recoverable as penalties and forfeitures under the first-recited Act.

CERTIORARI (i).

Rules, etc., to be removable by Certiorari, and to continue in force until declared illegal.

4 & 5 Wm. IV. c. 76, § 105. And be it further enacted, that no Rule, Order, or Regulation of the said Commissioners (or Assistant-commissioners, or any of them), shall be removed or removable by writ of *certiorari* into any Court of Record, except his Majesty's Court of King's Bench at Westminster; and that every Rule, Order, or Regulation which shall be removed by writ of *certiorari* into the said Court of King's Bench shall nevertheless, unless and until the same shall be declared illegal by that

(i) *Reg. v. Oldham*, 10 Q. B. 700; 16 L. J. R. (N. S.) M. C. 110, shows that Orders made by the Poor Law Commissioners or Poor Law Board cannot be questioned otherwise than by being brought into the Queen's Bench by *certiorari*.

Court, continue in full force and virtue, and be obeyed, performed, and enforced, in such and the same manner, and by such and the same ways and means, as if the same had not been so removed.

Application for Writ of Certiorari.—Commissioners may show Cause.

Ib. § 106. And be it further enacted, that no application shall be made for any writ of *certiorari* for the removal of any such Rule, Order, or Regulation, except to the Judges when sitting in the said Court, nor unless notice in writing shall have been left at the office of the said Commissioners at least ten days previous to such application being made, and in which notice shall be set forth the name and description of the party by or on behalf of whom and the day on which it is intended to make such application, together with a statement of the grounds thereof; and thereupon it shall be lawful for the said Commissioners to show cause in the first instance against such application; and the Court may, if it shall so think fit, forthwith proceed to hear and determine the same upon the grounds set forth in such notice.

Recognizances.—Costs.

Ib. § 107. And be it further enacted, that previous to any writ of *certiorari* being issued, the party or parties applying for the same shall enter into a recognizance, with sufficient sureties, before one of his Majesty's Justices of the Court of King's Bench, or before a Justice of the Peace of the county or place in which such person shall reside, in the sum of fifty pounds, with condition to prosecute the same, at his or their costs and charges, with effect, without any wilful or affected delay, and in default thereof, or in the event of such Rule, Order, or Regulation being deemed legal, to pay the said Commissioners their full costs, charges, and expenses, to be taxed according to the course of the said Court of King's Bench; and if the said Rule, Order, or Regulation, so removed by the said writ of *certiorari* into the said Court of King's Bench, shall be declared legal by the said Court, the Commissioners entitled to such costs, within ten days after demand made of the person or persons who ought to pay the said costs, upon oath made of the making such demand and refusal of payment thereof, may recover the same in the same manner as any penalties and forfeitures are recoverable under this Act.

If Rules are quashed, the same to be notified.

Ib. § 108. And be it further enacted, that if upon the hearing of the application the Court shall order a writ of *certiorari* to issue for bringing up any such Rule, Order, or Regulation, and the same being brought into Court shall be quashed as illegal (ii), the said Commissioners shall forthwith notify the judgment of the Court to all Unions, Parishes, or Places to which such Rule, Order, or Regulation shall have been directed, and the same shall from the time of receiving such notice respectively be deemed and taken to be null and void to all intents and purposes whatsoever.

Proviso for existing Contracts.

Ib. Provided that such judgment shall not have the effect of annulling any contracts made in pursuance or upon the authority of any such Rule, Order, or Regulation which at the receipt of such notice respectively, shall have been executed by either of the contracting parties.

No Person to be answerable until Receipt of Notice.

Ib. Provided also, that no person shall be liable to be prosecuted, either by indictment or by civil action, for or in respect of any act done by him before the receipt of such notice, under the authority and in pursuance of such Rule, Order, or Regulation.

Limitation of Time on Issue of Certiorari.

12 & 13 Vict. c. 103, § 13. And be it enacted, that no writ of *certiorari* shall be granted, issued forth, or allowed to remove into the Court of Queen's Bench any Order, Rule, or Regulation of the Poor Law Commissioners, or of the Poor Law Board, heretofore made, unless such *certiorari* be moved or applied for within twelve months next after the passing of this Act; and in respect of any Order, Rule, or Regulation to be hereafter made, within twelve months next after the day when the copy thereof shall be sent in the manner required by the several statutes in that behalf.

(ii) Part of an Order may be quashed: *Reg. v. Robinson*, 17 Q. B. 466.

II.

STATUTES RELATING TO THE AUDIT OF ACCOUNTS.

Auditors' Powers and Duties.

7 & 8 VICT. c. 101.

§ 32. Every Auditor . . . shall have full powers to examine, audit, allow (*j*) or disallow (*k*) of accounts, and of items therein, relating to moneys assessed for and applicable to the relief of the poor of all Parishes and Unions within his district, and to all other money applicable to such relief; and such Auditor shall charge (*kk*) in every account audited by him the amount of any deficiency or loss incurred by the negligence or misconduct of any person accounting, or of any sum for which any such person is accountable, but not brought by him into account against such person, and shall certify on the face of every account audited by him any money, books, deeds, papers, goods, or chattels, found by him to be due from any person; and when any such Auditor has so certified any money, books, deeds, papers, goods, or chattels to be due from any person, he shall forthwith report the same to the said Commissioners (*l*).

Payment of Certified Balance.

lb. And the person from whom any money is so certified to be due shall within seven days pay or cause to be paid such money to the Treasurer of the Guardians of the Union or Parish if there be any such Treasurer.

(*j*) An attorney being Auditor, when he may audit payments made to himself: *Reg. v. Great Western Railway Company*, 13 Q. B. 327; 18 L. J. R. (n. s.), M. C. 145.

(*k*) Costs of appeal not sanctioned by vestry: *Reg. v. Street*, 18 Q. B. 682; 22 L. J. R. (n. s.), M. C. 29. Untaxed bill of costs: *Reg. v. Hunt*, 6 E. & B. 408; S. C. nom. *Reg. v. Napton*, 25 L. J. R. (n. s.), Q. B. 296. Bill due by predecessors paid out of rates left by them uncollected: *Reg. v. Read*, 13 Q. B. 524; 18 L. J. R. (n. s.), M. C. 145.

(*kk*) See 11 & 12 Vict. c. 91, s. 8, *post*, p. 432.

(*l*) It is not necessary for the Auditor to report to the Poor Law Board sums which he may, under the 12 & 13 Vict. c. 65, s. 3, certify to be due from any Overseer or Collector, in respect of moneys received by them from county or borough rates; but in such cases there should be a separate Collecting Book, and the receipts and disbursements should be entered in books separate from the receipts and disbursements of the poor-rate. As regards the watch-rate, see 8 & 9 Vict. c. 110, ss. 4 and 6.

How to be applied.

Ib. And in the case of a Union such money shall be applied by the Guardians to the use of all or any of the Parishes included in such Union, according as all or any of such Parishes may be interested in the sum so paid; and all books, deeds, papers, goods and chattels, and in the case where there is no Treasurer as aforesaid, all moncys so certified to be due shall be delivered over or paid, within seven days of the same being certified, to the person or persons authorized to receive the same.

Recovery of Certified Balances, Books, etc.

Ib. And if any such money, books, deeds, papers, goods, or chattels, be not duly paid or delivered over as hereinbefore directed, the said Auditor, or any Auditor subsequently appointed, shall proceed, as soon as may be, to enforce the payment or delivering over of the same; and all moncys so certified to be due by such Auditor shall be recoverable as so certified from all or any of the persons making or authorizing the illegal payment, or otherwise answerable for such moncys, and shall be recovered on the application of such Auditor, or of any such Auditor subsequently appointed, or by any person for the time being entitled or authorized to receive the same, in the same manner as penalties and forfeitures may be recovered under the provisions of the said first-recited Act (*m*).

Auditor's Expenses, how to be Paid.

Ib. And the expenses attending such proceedings or recovery shall (except so far as the same may be paid by the person against whom the proceedings have been taken) be repaid to such Auditor by the Guardians of the Parish or Union, or by the District Board of the district to which the proceedings may respectively relate, and shall be charged in their accounts in such manner and in such proportions as the said Commissioners may direct.

(*m*) *Reg. v. Brecknockshire*, 29 L. T. 126, and *Reg. v. Norfolk J.J.*, show that the Justices cannot review the decision of an Auditor when he seeks to enforce his certificate by proceedings before them. An attorney may be employed by the Auditor to enforce payment of certified balances; but before proceedings are commenced, the Auditor should himself, and without charge, give notice to the person in default that legal proceedings will be taken if the money be not paid. Moreover, the proceedings should be taken within a reasonable time after the Audit, and not delayed until the next Audit. See 12 & 13 Viet. c. 103, s. 10, as to what costs shall be recovered in proceedings under 4 & 5 Wm. IV. c. 76, s. 99.

Penalty for refusing to deliver up Books, etc.

Ib. And if any person from whom any such books, deeds, papers, goods, or chattels may be due, neglect or refuse to deliver over the same to the person for the time being entitled or authorized to receive the same, the person so neglecting or refusing shall be liable, on the complaint of any such Auditor for the time being, or of the person entitled or authorized to receive the same, to the penalties and proceedings provided in the case of Overseers refusing or neglecting to pay and deliver over to their successors any sum or sums of money, goods, chattels, and other things in their hands.

Penalty for paying illegal Charges out of the Parochial Rates.

Ib. And any Churchwarden, Surveyor of the Highways, Overseer, or other Officer of a Parish or Union, who shall wilfully authorize or make an illegal or fraudulent payment from the church-rate, highway-rate, or other public fund of a Parish or Union, or shall unlawfully make any entry in his accounts for the purpose of defraying or making up to himself or any other person the whole or any part of any sum of money unlawfully expended from the poor-rate, or disallowed or surcharged in the accounts of any Parish or Union by such Auditor, shall, upon conviction thereof before any two Justices, forfeit and pay for every such offence any sum not exceeding twenty pounds, and also treble the amount of such payment or of the sum so entered in his accounts.

Rate Books and Accounts, when to be made up and balanced.

7 & 8 Vict. c. 101, § 33. Seven clear days at least (*n*) before the day fixed for the audit of accounts, the Overseers or other Officers employed in any Parish in carrying the laws for the relief of the poor into execution, and every Collector of Assistant-overseer acting for such Parish, shall cause their rate-books and other accounts to be made up and balanced.

Where to be deposited for Inspection.

Ib. And the books so made up shall forthwith be deposited at the house within the Parish of some one of such Overseers or other Officers, or of such Collector or Assistant-overseer, or at some other house within the Parish.

(*n*) *i. e.* clear days. For the legal significance of the words "at least," see *Reg. v. Shropshire, JJ.*, 8 A. & E. 173; 1 Lum. P. L. C. 296.

Notice of Time and Place of Audit.

1b. And notice shall forthwith be affixed at the usual place or places of giving Parish notices, stating the time and place (o) of audit, as notified by the Auditor, and the place where the books are deposited.

Inspection of Books.

1b. And such books shall on each of such days be open between the hours of eleven and three, for the inspection of every person liable to be rated to the relief of the poor.

Notice of Audit by post or otherwise.

1b. And such Auditor shall give or send by post or otherwise to the said Overseers or other Officers fourteen days' notice of the said audit; but it shall not be necessary for the Auditor to give or send separate notices to each of such Overseers or other Officers, and it shall be sufficient if it be proved that any one of them had notice.

Notice of Audit by Advertisement.

11 & 12 Vict. c. 91, § 7. In addition to the notices now required by law to be given by the Auditor, he shall also give notice by advertisement in some newspaper circulating in the county wherein the Union, or the greater part of it, or, in the case of a Parish not comprised in a Union, wherein such Parish shall be situated, a reasonable time prior to the holding of his audit (p); and the production of a copy of such newspaper shall in all Courts, and for all purposes, be deemed sufficient evidence of the notice of the audit; and except where a party, not being an Officer bound to account to the Auditor, shall be surcharged by any Auditor, it shall not be necessary to prove that the audit of such accounts was adjourned, and that notice of any such adjourned audit was given.

(o) The Auditor is not required to attend in every Parish in his district to audit the Overseers' accounts; but the Overseers must attend at the place appointed by the Auditor for the purpose, which is usually the Workhouse or Board-room of the Guardians. The audit must be held in some central place within the Union, and not out of it, so as to give the ratepayers an opportunity of being present.

(p) In proceedings by the Auditor for neglect to attend the Audit, it is not enough for him to prove before the Justices that he issued the advertisement; he should also prove that he specifically required the particular Overseer to attend the audit and produce his accounts, and that such Overseer neglected or refused to do so after being so required by the Auditor.

Penalty for neglecting to make up or for altering Accounts.

7 & 8 Vict. c. 101, § 33. And if any such Overseer or other Officer, Collector, or Assistant-overseer neglect to make up such account, or alter such account, or allow it to be altered when so made up, or refuse to allow such inspection thereof, he shall be liable, on conviction thereof, to forfeit forty shillings.

Penalty for neglect to affix Notice of Audit.

Ib. And if any such Overseer or other Officer, Collector, or Assistant-overseer, refuse or wilfully neglect to affix such notice of audit, and of the time and place for the inspection of such accounts, as above provided, he shall be liable, on conviction thereof, to forfeit forty shillings.

Right of Ratepayers to be present at Audit.

Ib. And it shall be lawful for every ratepayer in any Parish or Union to be present at the audit of the accounts relating to such Parish or Union, and to make any objection to any such accounts before such Auditor.

Power of Auditor to require Declaration as to Accounts.

Ib. And it shall be lawful for any such Auditor to require any person holding or accountable for any money, books, deeds, papers, goods, or chattels relating to the poor's-rate or the relief of the poor, to produce to such Auditor his accounts and vouchers, and to make or sign a declaration with respect to such accounts (*q*).

Penalty for neglect to attend Audit.

Ib. And so often as such person neglects or refuses to attend, either at the audit or any adjournment thereof, when so required by such Auditor, or to produce to him such accounts or vouchers, or any of them, or to make or sign a declaration with respect to his accounts, if thereunto required by such Auditor, he shall be liable for every such refusal or neglect to forfeit forty shillings, to be recovered as penalties and forfeitures under the said first-

(*q*) *Mandamus* to Overseers to furnish particulars of accounts, *Reg. v. Halifax*, 10 L. J. R. (N. S.), M. C. 81. By the Act for regulating the appointment of Vestry Clerks (13 & 14 Vict. c. 57, s. 7), it is the duty of the Vestry Clerk appointed under that Act, unless otherwise directed by the Poor Law Commissioners, "to attend the audit of accounts of the Overseers, and conduct all correspondence arising therefrom."

recited Act, or if he wilfully make or sign a false declaration in respect of such accounts he shall be liable to the penalties of perjury.

Costs of Proceedings to enforce due Attendance at the Audit.

12 & 13 Vict. c. 103, § 11. Where any Auditor shall lay any information for a penalty in consequence of the default of any Officer or other person to attend the audit, or the adjournment thereof, or to produce the proper account or vouchers, or to make or sign the proper declaration before him, the costs incurred by such Auditor, when not recovered from the defendant in such information, shall, if the Poor Law Board consent thereto, be payable to such Auditor, and be chargeable in like manner as the costs incurred by an Auditor in enforcing the payment of sums certified by him to be due.

In what cases Notice of intended Surcharge is to be given by Auditor.

11 & 12 Vict. c. 91, § 8. If an Auditor shall see cause to surcharge (r) any person not liable by law to be surcharged by him, and to whom no notice is now required by law to be given, with any sum of money in reference to any payment considered by him to have been illegally or improperly made, he shall, if the person be not present at such audit, cause notice in writing of his intention to make such surcharge to be given, by post or otherwise, to the person against whom he shall purpose to make this surcharge, addressed to him at his last known place of abode, and shall adjourn the audit, so far as it shall relate to such particular matter, for a sufficient time to allow of such person appearing before him, and showing cause against such surcharge; and at such time the said Auditor shall hear the party, if present, and determine according to the law and justice of the case.

Evidence in Proceedings by Auditors to recover Sums certified by them to be due.

Ib. § 9. In any proceedings to be taken by an Auditor, or by his attorney, before Justices, to recover sums certified by him to be due, it shall be sufficient for him—to produce a certificate of his

(r) This will apply to an Officer who has resigned his office, as well as to a Guardian who may have authorized an illegal payment.

appointment under the seal of the Poor Law Commissioners, or of the Commissioners aforesaid—and to state and prove that the audit was held—that the certificate was made in the Book of Account of the Union or Parish to which the same relates—and that the sum certified to be due had not been paid to the Treasurer of the Guardians of the Union or of the Parish, as the case may require, within seven days after the same had been so certified, nor within three clear days before the laying of the information, of which non-payment a certificate in writing purporting to be signed by the Treasurer, shall be sufficient proof on the part of the Auditor;—and if at the hearing of such information it shall be proved that the said sum had been paid to the Treasurer subsequently to the date of such last-mentioned certificate, the costs incurred by such Auditor shall be paid by the party against whom the information shall be laid, unless he prove that notice of such payment had been given to the Auditor twenty-four hours at least prior to the laying of the information.

Mode of certifying Balances by Auditors when the Officer continues in Office.

11 & 12 Viet. c. 91, § 5. Where any Overseer or Officer shall be continuing in office at the time when the accounts are audited (s), the Auditor shall certify as due such sums of money only as shall be disallowed or surcharged by him in the accounts so audited.

How when the Term of Office shall have expired.

1b. But where the term of office of such Overseer or Officer shall have expired at the time when the accounts are audited, he shall ascertain the balance which he shall find to be then due on the accounts so audited, together with the sums (if any) which he shall have disallowed or surcharged, and shall give credit for all sums which shall be proved before him to have been paid in respect of such balance to the succeeding Overseers or Officers, or otherwise lawfully applied on behalf of the Parish or Union interested therein, before the date of his audit, and he shall cer-

(s) When the same person is reappointed as Overseer, the balance appearing on the account should be certified to be due to or from (as the case may be) the Overseers whose year of office expired at the preceding Lady-day. If the balance be against the Overseers, and if it be not paid to the Treasurer, the Auditor should satisfy himself that it is in the hands of the succeeding Overseers, by requiring an acknowledgment from the whole of them to that effect.

tify, report, and recover, in the manner provided by law, the balance remaining due after such credit shall have been given ;

Form of Certificate of Auditor.

Ib. And every certificate made by any Auditor, if made according to the form set forth in the Schedule herunto annexed, or to the like effect, shall be deemed to be sufficient.

How when the Sum disallowed does not amount to Forty Shillings.

Ib. Provided always, that where the sum or the aggregate of the sums disallowed by the Auditor, in the account of any Officer, shall not amount to forty shillings, the same may be paid over with the balance due from such Officer, instead of being paid to the Treasurer.

The following are the Forms of Certificates (*t*) given in the Schedule to the Act above referred to :—

1.—*Against an Accounting Officer.*

I do hereby certify, that in the account of *A. B.*, the [*set out the name of the Office*] of the Parish of —, [*or of the — Union*], I have disallowed [*or surcharged*] the sum of —.

As witness my hand, this — day of —, 1848.

M. N., Auditor of the — district, which comprises the above-named Parish *or* Union.

2.—*Against a Person not an Accounting Officer.*

I do hereby certify, that in the Accounts of the — Union [*or of the Parish of —*], I have disallowed the sum of £—, as a payment illegally made out of the funds of such Union [*or Parish*] and I find that *C. D.* of —, authorized the making of such illegal payment, and I do hereby surcharge the said *C. D.* with the same.

As witness my hand, this — day of —, 1848.

M. N., Auditor of the — district, which comprises the above-named Union *or* Parish.

(*t*) These Certificates cannot be made against the representatives of a deceased Officer, neither can a sum certified to be due from an Officer be recovered by the Auditor from his representatives after his decease. Moreover, the Certificate must be made in the Book of Account of the Accounting Officer. As to the liability of surety for certified balance, see *Belford v. Pattison*, 25 L. J. R. (N. S.), M. C. 91 ; 1 H. & N. 523. As to the liability of an Officer discharged under the Insolvent Debtors' Act to proceedings for recovery of a certified sum, see *Beavan v. Walker*, 21 L. J. R. (N. S.), C. P. 161.

Limitation of Time upon Proceedings of Auditors for Recovery of Money certified to be due.

12 & 13 Vict. c. 103, § 9. Whereas in the Act of the last session of Parliament, intituled "An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions within England and Wales with respect to summary convictions and orders" (11 & 12 Vict. c. 43, s. 11), it is enacted, that in all cases where no time had then been or should thereafter be specially limited for making the complaints, or laying the informations therein referred to, every such complaint should be made and every such information laid within six calendar months from the time when the matter of such complaint or information respectively arose; and doubts have been entertained whether the provision aforesaid applies to proceedings by Auditors to recover sums certified by them to be due in the accounts of Officers or other persons, and it is desirable to remove such doubts: Be it therefore declared and enacted, that nothing in the provision of the said Act herein recited shall be deemed to apply to any such proceeding by any Auditor, but that no Auditor shall commence any such proceeding after the lapse of nine calendar months from the disallowance or surcharge by such Auditor, or, in the event of an application by way of appeal against the same to the Court of Queen's Bench or to the Poor Law Board, after the lapse of nine calendar months from the determination thereupon.

Appointment of Deputy-Auditor.

11 & 12 Vict. c. 91, § 10. The said Commissioners may at any time, upon sufficient cause being shown to them, authorize any person, selected by the Auditor, to act temporarily as his deputy, and shall communicate to the several Unions and places forming his district the name of the person so appointed to act as his deputy, and such person shall thereupon be empowered to act in all respects, and with the same authorities, and subject to the same duties and liabilities, as the Auditor himself is entitled or subject to.

Appointment of Temporary Auditor.

12 & 13 Vict. c. 103, § 8. When any Auditor shall die, resign, or be removed, or become incompetent to act, at any time when the audit of the accounts of the Parishes or Unions within his district shall not be completed, the Poor Law Board may, by

order under their seal, appoint temporarily some other person to audit the accounts of the several Parishes or Unions which may then be ready to be audited ; and such temporary Auditor shall have the same powers and authorities, and shall be subject to the same obligations and duties, as the ordinary Auditor would have possessed or would have been subject to, and shall receive such remuneration as the said Commissioners shall direct for the performance of his services herein.

III.

STATUTES RELATING TO APPEALS AGAINST ALLOWANCES, DISALLOWANCES, AND SURCHARGES BY AUDITORS.

Auditor on demand to state Reasons.

7 & 8 VICT. c. 101.

§ 35. If any person aggrieved by any allowance, disallowance, or surcharge by any such Auditor require such Auditor to state the reasons for the said allowance, disallowance, or surcharge, the Auditor shall state such reasons in writing in the book of account in which the allowance, disallowance, or surcharge may be made (u).

Certiorari to remove Auditor's Allowances or Disallowances into Court of Queen's Bench.

Ib. And it shall be lawful for every person aggrieved by such allowance, and for every person aggrieved by such disallowance or surcharge, if such last-mentioned person have first paid or delivered over to any person authorized to receive the same, all such

(u) The Auditor, when called upon for a statement of his reasons for a disallowance, should set forth the facts of the case upon which he formed his determination or decision, and not merely state that he disallowed the charge because it was contrary to law. He need not, however, set out at length the evidence upon which he formed his decision, but simply the facts to be gathered from the evidence ; and he should in precise terms express the conclusions to which he came upon the evidence. Accounts which have been closed and audited cannot be reopened, except upon appeal under this or the following section.

money, goods, and chattels as are admitted by his account to be due from him or remaining in his hands, to apply to the Court of Queen's Bench for a writ of *certiorari* to remove into the said Court the said allowance, disallowance, or surcharge, in the like manner and subject to the like conditions as are provided in respect of persons suing forth writs of *certiorari* for the removal of orders of the Justices of the Peace, except that the condition of such recognizance shall be, to prosecute such *certiorari* at the costs and charges of such person, without any wilful or affected delay; and if such allowance, disallowance, or surcharge, be confirmed, to pay to such Auditor or his successor, within one month after the same may be confirmed, his full costs and charges, to be taxed according to the course of the said Court; and except that the notice of the intended application, which shall contain a statement of the matter complained of, shall be given to such Auditor or his successor, who shall in return to such writ return a copy under his hand of the entry or entries in such book of account to which such notice shall refer, and shall appear before the said Court, and defend the allowance, disallowance, or surcharge so impeached in the said Court, and shall be reimbursed all such costs and charges as he may incur in such defence out of the poor-rates of the Union or Parish respectively interested in the decision of the question, unless the said Court make any order to the contrary.

Proceedings of the Court.

It. And on the removal of such allowance, disallowance, or surcharge, the said Court shall decide the particular matter of complaint set forth in such statement, and no other; and if it appear to such Court that the decision of the said Auditor was erroneous, they shall, by rule of the Court, order such sum of money as may have been improperly allowed, disallowed, or surcharged, to be paid to the party entitled thereto by the party who ought to repay or discharge the same.

Costs.

It. And they may also, if they see fit, by rule of the Court, order the costs of the person prosecuting such *certiorari* to be paid by the Parish or Union to which such accounts relate, as to such Court may seem fit; which rules of Court respectively shall be enforced in like manner as other rules of the said Court are enforceable.

Appeal to Poor Law Board.

Ib. § 36. Provided always, that it shall be lawful for any person aggrieved as aforesaid by any allowance, disallowance, or surcharge, in lieu of making application to the Court of Queen's Bench for a writ of *certiorari*, to apply to the said Commissioners to inquire into and to decide upon the lawfulness of the reasons stated by the Auditor for such allowance, disallowance, or surcharge, and it shall thereupon be lawful for the said Commissioners to issue such Order therein, under their hands and seal, as they may deem requisite for determining the question (v).

Appeal to the equitable Jurisdiction of the Poor Law Board.

11 & 12 Vict. c. 91, § 4. Where any appeal shall be made to the said Commissioners against any allowance, disallowance, or surcharge, made by any Auditor in the accounts of any Guardians, Overseers, or their Officers, it shall be lawful for the said Commissioners to decide the same according to the merits of the case; and if they shall find that any disallowance or surcharge shall have been or shall be lawfully made, but that the subject matter thereof was incurred under such circumstances as make it fair and equitable that the disallowance or surcharge should be remitted, they may, by an Order under their seal, direct that the same shall be remitted, upon payment of the costs, if any, which may have been incurred by the Auditor or other competent authority in the enforcing of such disallowance or surcharge (w).

(v) The persons named in the Auditor's Certificate, if they deem themselves aggrieved thereby and desire to appeal against his decision, must forward with the appeal a copy of the Auditor's reason for making the disallowance or surcharge, and also a copy of his Certificate. The appeal must be signed by all the persons aggrieved, and should contain a full statement of the facts which the appellants may desire to lay before the Board, together with the reasons which they may have to bring forward in support of their appeal.

(w) Note the condition as to the payment by the appellant of the Auditor's costs. It makes no difference in this respect if the Auditor have already obtained repayment from the Guardians.

IV.

STATUTE RELATING TO THE PAYMENT OF PARISH DEBTS.

If Overseers contract Debts within three months of the termination of their Year of Office, their immediate Successors shall discharge the same.

11 & 12 VICT. c. 91.

§ 1. "Whereas it is expedient to make some provision as to the payment in certain cases of debts incurred by the Overseers of the Poor in Parishes after their year of office has expired," be it therefore enacted that if the Overseers of the Poor in any Parish shall lawfully, by virtue of their office, contract any debt on account of the Parish within three months prior to the termination of their year of office, and the same shall not have been discharged by them before their year of office shall have determined, such debt shall be payable by and recoverable from their immediate successors in office, and chargeable upon the poor-rate of the said Parish, in like manner as the same would have been payable and chargeable by such first-mentioned Overseers during their year of office; and if any such debt shall have been contracted during their year of office, but more than three months prior to its termination, the same shall be payable by and recoverable from their immediate successors in office, if the ratepayers of the parish in Vestry assembled, and the Commissioners for administering the laws for relief of the poor in England, shall consent, but not otherwise (x).

Provision for Payment of Bills of Costs for Legal Proceedings.

Ib. § 2. Provided nevertheless, and be it enacted, that where any proceedings have been commenced or shall be hereafter carried on, for or on behalf of any Parish, in a Court of Law, regarding any matter affecting the poor-rates of such Parish, it shall not be necessary that the bill of costs of the solicitor or attorney engaged

(x) Attorney's bills paid out of balance of former rates: see *Reg. v. Read et al.*, 18 L. J. R. (N. S.), M. C. 164. Liability of Parish Officers for expenses of witnesses on an appeal against a poor-rate: see *Lee v. Everest*, 2 H. & N. 285. Non-liability of succeeding Overseers for attorney's bills of costs: *Chambers v. Jones*, 5 Exch. Rep. 229; *Marsh v. Davies*, 17 L. J. R. (N. S.); Exch. 94, 1 Exch. Rep. 668. For debts on covenants: *Furnival v. Coombes*, 4 M & G. 736.

therein shall be paid before the termination of the proceedings, but in any such case the amount of the bill, when duly taxed (y), if otherwise chargeable against the Parish, shall be payable out of the poor-rates within the space of one year next following the termination of the proceedings, but not afterwards, unless the Commissioners aforesaid shall by their Order authorize the payment of the costs and expenses attending any such proceedings by annual instalments not exceeding five, to commence from such termination (z).

V.

RETROSPECTIVE CALLS UPON PARISHES.

WADDINGTON and Others *v.* the Guardians of the Poor of the City of London Union.

Westminster Hall, May 26th, 1858.

En the Queen's Bench.

JUDGMENT.

Lord Campbell.—In this case certain debts due from the Guardians of the Union to tradesmen amounting to £23,000, and a debt due from them to the Treasurer of £4200, by reason of overdrawing their account, remained unpaid at Christmas, 1856. These debts so remained by reason of the frauds and embezzlements of Manini, a Collector for nine parishes of the Union of ninety-seven parishes, and of Paul, the Assistant-clerk of the Board of Guardians.

The frauds were discovered in December, 1856, and by the call in question in February, 1857, these debts are provided for, and

(y) See 7 & 8 Vict. c. 101, § 39, *ante*, page 301.

(z) This section enables a bill of costs incurred in respect of proceedings on behalf of any Parish in a Court of Law to be paid within one year from the termination of the proceedings, but not afterwards, unless the Poor Law Board shall by their Order authorize the payment by annual instalments. If more than one year shall have elapsed since the proceedings terminated, it is obviously impossible that the condition in the proviso can be complied with. Moreover, the debt only can be directed to be paid by instalments, and not the debt with accruing interest upon it. Again, if the bill be not duly taxed by the proper Taxing Officer, it will not be lawfully payable out of the poor-rates, and the Auditor may therefore disallow it on that ground alone, without taxing it himself. A legal claim upon the Parish arising under the 4 & 5 Wm. IV. c. 76, s. 84, it is considered will not be a debt contracted by the Overseers within the meaning of either of the above sections.

if so, the questions are raised, whether the call is valid; and if so, whether the plaintiffs are liable for the whole of it.

Our answer to both questions is in the affirmative. The objection to the validity is founded on the duty of each Union and Parish to provide funds for expenses as they become due, so that retrospective rating as a general principle is prohibited. But this general principle is subject to exceptions, and we consider the present case to be an exception.

The debts when created were, according to the statement, legally binding, and could be enforced against the Guardians as a Corporation; and that liability continues unless by lapse of time or other legal bar the right has been taken away. Substantially, the debts accrued in 1855 and 1856, the small amount in 1854 being almost immaterial.

There was no intentional delay on the part of the Parochial authorities who provided present funds for present demands, and there was no intentional wrong in the creditors who delayed the enforcement of their claims. We see no ground for saying that the debts were destroyed, and if they remained, they were an extraordinary charge to which the Union was liable in the coming half-year, within the power conferred on the Guardians by Article 81 of the Order of 1847. If the Creditors could recover their debts from the Guardians, and the Guardians are not personally liable, the call is the proper source of payment.

The second question is, whether the plaintiffs are liable for the whole call, that is, whether they are liable for the debts caused by the defalcation of Manini, who was the Collector for nine Parishes, not including the Plaintiffs; the Plaintiffs contending that these nine Parishes ought to make good the loss occasioned by their Officers; but the answer appears to depend on the point whether Manini ought to be considered as the Officer of those Parishes or as the Officer of the Union, and we are of opinion that he is the Officer of the Union.

The case finds that he was appointed by the Board of Guardians, and ordered by them to pay what he collected to the Treasurer of the Union. This statement negatives the point made for the Plaintiffs, that the duty of Manini was regulated by that part of the Order of 1851, Article 6, which directs him to account weekly with the Overseers or with the Treasurer, under the Order of the Overseers. We therefore think the Plaintiffs liable for the whole call, and give our judgment for the Defendants:

WADDINGTON and Others v. The Guardians of the Poor of the City of London Union.

Westminster Hall, November 3rd, 1858.

In Error from the Court of Queen's Bench.

JUDGMENT.

Mr. Baron Watson.—This is an appeal from the judgment of the Court of Queen's Bench upon a special case.

The substantial question is, whether an Order for the payment of the sum of £2800 made on the 17th February, 1857, by the Guardians of the Poor of the City of London upon the Parish of St. Stephen, Coleman Street, purporting to be an Order made under the authority of Article 82 of the Consolidated Orders of the Poor Law Commissioners, dated the 8th of December, 1847, was a valid Order.

The City of London Union consists of ninety-eight Parishes, of which St. Stephen, Coleman Street, is one.

Upon the 17th February, 1857, the Guardians made Orders upon all the Parishes of the Union for the payment of the aggregate sum of £61,430, to be paid by them. This sum was composed of several items, namely, £23,154, for outstanding debts due to tradesmen at Christmas, 1856; £4200, a balance due to the Treasurer on the 31st December, 1856; £15,000, the estimated expenses of the Union to Lady-day, 1857; and £29,230, the estimated expenses from Lady-day, 1857, to Christmas, 1857. The two latter sums are admitted to be fair and reasonable estimates.

The debts due to the tradesmen had been accruing due for several previous years, as had also to the Treasurer.

The non-payment of the tradesmen's bills arose from the fraud and embezzlement of two persons, named Manini and Paul. Manini was Collector for nine Parishes of the Union (St. Stephen, Coleman Street, not being one); he was appointed by the Board of Guardians on the 16th May, 1843, and his appointment was confirmed by the Poor Law Board. He was directed by the Guardians to pay the rates received by him to the Treasurer of the Union, to the credit of the respective nine Parishes in the

Union accounts. In December, 1856, Manini absconded, having embezzled out of the rates collected by him from the Parishes of which he was Collector, £22,407. His sureties, which were to the amount of £500, turned out worthless.

Paul was an Assistant-clerk of the Board of Guardians. He also absconded in December, 1856, having embezzled at the least £3000. The parochial accounts had been audited up to September, 1856, upon false and fraudulent accounts concocted by Manini, and the fraudulent entries were published up to Lady-day, 1856. These embezzlements were discovered in December, 1856. The disputed Orders were made in February, 1857, and were the first Orders made after the discovery. The Clerk in making the estimate directed by Article 81 of the Consolidated Orders, had treated the deficit resulting from the embezzlements and the debt due to the Treasurer as extraordinary charges, chargeable upon the funds of the whole Union within the meaning of these words in the 81st Article.

The Order upon St. Stephen, Coleman Street, for £2800, was the proper proportion payable by this Parish, if the charge of £61,430 upon the Union at large was lawful.

The case sets out the following important particulars with reference to St. Stephen, Coleman Street:—"All Calls or Orders made upon the said Parish of St. Stephen's, Coleman Street, previously to the making of the said Call or Order of the 17th of February, 1857, had, previously to the making of such last-mentioned Call or Order, been fully paid. The said Parish contains upwards of five hundred houses or tenements, which were separately assessed to the rates for the relief of the poor in every year for six or seven years now last past, during which last-mentioned period there have been various changes in the occupation and rateable value of such houses and tenements.

"Many valuable messuages, tenements, and premises, which were during all or some parts of the year in which the said old alleged outstanding debts were in the manner stated accruing, chargeable with the poor-rates, and of which the occupiers were, during such years or parts of the year, liable in common with other occupiers of premises within the said Union to be rated and assessed to the poor-rates of the several Parishes comprised therein, and were well able so to contribute rateably, and did in fact contribute towards the payment of the expenses in respect of which the said old alleged outstanding debts accrued were during all the period between the 17th of February, 1857, and

the 29th September, 1857, pulled down and unoccupied, and not rateable or assessable to the poor-rates, or liable so to contribute, and many persons have become the occupiers of tenements within the said Parish or Union since the said old outstanding debts respectively accrued and became due, who would not have been liable to contribute to the expenses in respect of which such debts accrued by virtue of any poor-rates made previously to the 17th of February, 1857, and such persons are now liable to be respectively assessed to the poor-rates of Parishes comprised in the said Union, and will thus be liable to contribute towards the payment of such old outstanding debts if the said Call or Order of the 17th February, 1857, is a valid and legal Order enforceable for the amount for which it is made."

For the purposes of this case the debts outstanding at Christmas, 1856, are to be taken as properly incurred and unpaid.

The Court of Queen's Bench gave judgment that the Order was a valid and enforceable one. After much consideration we cannot concur in that judgment.

The original legal authority to make a rate for the relief of the poor is the statute of 43 Elizabeth, chapter 2, which enacts that Churchwardens and Overseers of a Parish shall, with the consent of two Justices, raise weekly or otherwise by taxation a competent sum for the relief of the lame and other poor, and for putting out the poor children apprentices.

Upon the construction of this statute it has been uniformly held, that the powers of taxation under it can be exercised to meet prospective expenses only, and that it is not lawful to make a poor-rate for the payment of a past debt; Judges of the greatest eminence have not only approved of this construction as correct in itself, but have stated that in their opinion this construction is founded upon principles of policy and justice, because it enables the Poor Law Officers to deal for ready money, and avoid contracting debts, thereby avoiding a great temptation to extravagance and waste; and of justice, because so far as is possible it casts upon the existing ratepayers the burthen of the poor for the time being, and protects them from one which ought to have been borne by their predecessors. *Towney's Case*, 2 Sal-keld, 531; *The King v. Wavell*, 1 Douglas, 151; *The King v. Dursley*, 5 Adolphus & Ellis, 15; and it may be observed that an Act of Parliament (41 Geo. III. c. 23, s. 9) seems to have been required to authorize a retrospective rate to be made for certain purposes therein particularly specified.

This was also the rule of the common law. In *Farlar v. Chesterton*, 2 Moore's Privy Council Cases, p. 330, it was decided by the Judicial Committee of the Privy Council that the church-rate (a rate at common law), which included a sum for the payment of a debt previously contracted, was unlawful, and vitiated the entire rate. In the judgment it is stated, that the rate being made for a sum avowedly larger than would otherwise be necessary, with a view to enable the Churchwardens out of the moneys levied to pay off the debts incurred in former years was excessive, and therefore illegal.

The case of *The King v. The Chapel Wardens of Bradford*, in 12 East, 558, is to the same effect.

There is no doubt that the Legislature may authorize a rate for the payment of a past debt. An instance of this will be found in the case of *Harrison v. Stickney*, in 2 House of Lords Reports, p. 108, where it was decided that a drainage rate to pay a debt previously incurred was legal, Lord Wensleydale, in delivering the opinion of the Judges, stated that the question depended upon the intention of the Legislature and the construction of the Act of Parliament, and that it was whether the Act under which the rate is made either expressly or impliedly prohibited a retrospective rate.

The real question in the present case, therefore, is whether by the late Poor Law legislation a law as to the making a poor-rate for the payment of past debts has been altered, and it was contended by the learned counsel for the defendants that such an alteration had been effected by an Order of the Poor Law Commissioners, dated the 24th July, 1847, called "The Consolidated Order," Articles 81 and 82 (page 44 of Mr. GLEN's Book).

To maintain this contention two propositions must be established,—first, that the Legislature has conferred upon the Poor Law Commissioners authority to make a Rule or Order authorizing the Board of Guardians to impose a charge for the payment of a past debt contracted for the ordinary relief of the poor, namely, for meat and bread for their sustenance; and, secondly, that they have exercised such authority.

In our opinion neither proposition can be maintained.

The new Poor Law Act, 4 & 5 Wm. IV. c. 76, is the statute which authorized the appointment of the Poor Law Commissioners, and enabled Parishes to be formed into Unions to be governed by Boards of Guardians, and the 42nd section was what was relied upon by the learned counsel for the defendants as authoriz-

ing the Poor Law Commissioners to make a Rule authorizing the Board of Guardians to impose a present charge.

It is quite clear that the 42nd section gives no such power. It authorizes the Commissioners to make Rules to be enforced at the Workhouse for its government and preservation of good order ; and as to the nature and amount of relief to be given and the labour exacted from the poor ; but there is nothing to be found in it giving any authority to the Commissioners to authorize a charge to be imposed to which the ratepayers were not previously liable. The principal authority of the Commissioners is given them by the 15th section, which confers upon them the direction and control of the administration of relief to the poor according to the existing laws, or such laws as shall be in force for the time being, and for executing the powers they are authorized to make and issue Rules and Orders ; but no enactment was cited to us, nor have we met with one which at all indicates that it was the intention of the Legislature to authorize the Poor Law Commissioners either directly or by delegation to Boards of Guardians, to impose upon the ratepayers a charge for the payment of a debt previously contracted for the ordinary relief of the poor.

The law upon this point seems to remain as before, without alteration.

Some sections were referred to in the various Acts of Parliament upon the subject, showing that it was contemplated that a debt might be due to the Treasurer.

We think that any inference to be drawn from them is much too remote and weak to satisfy the well-known settled rule of law that every rate or charge upon the subject must be imposed by clear and unambiguous words. (*Denn v. Diamond*, 4 B. & C. 245 ; *Wroughton v. Turtle*, 11 M. & W. 567.)

It was also pointed out that certain debts were specially recognized and provided for, namely, by the 24th and 25th sections of 4 & 5 Wm. IV. c. 76.

We think that any inference to be drawn from these provisions is rather against the power of the Poor Law Commissioners or Board of Guardians to authorize what would substantially be a retrospective rate. It is the same inference as that afforded by the statute 41 Geo. III. c. 22, the last one referred to.

But, secondly, even supposing that the Poor Law Commissioners have power to make such a Rule or Order, we think they

did not exercise it by the 81st and 82nd Articles of the Consolidated Orders.

These Articles are contained under the head of "Orders for Contribution and Payment."

By the 26th section of the Poor Law Act, after enabling Parishes to be united into Unions, it is provided that, notwithstanding the Union, each of the Parishes shall be separately chargeable and liable to defray the expenses of their own poor.

The 81st Article was obviously framed to meet the consequences of this enactment. It orders "That the Clerk of each Union shall, four weeks at least before the 25th March and 29th September respectively in each year, ascertain the cost to each Parish in the Union for the maintenance of the poor and other separate charges, as well as for the common charges incurred in the half of the last year corresponding to the half-year next coming, and shall estimate, and as near as may be divide, among the Parishes any "Extraordinary Charges" to which the Union may be liable in the coming half-year, and shall then prepare the Orders on the several Parishes for the sums which upon such computation it shall appear necessary for them to contribute to the expenses of the Union for the following half-year.

The Clerk is therefore to ascertain—first, the cost to each Parish for the maintenance of its poor for a past period which, by the 21st section, is a separate charge; secondly, the other separate charges for the same period; thirdly, the common charges, that is, the charges mentioned in the 28th section, which make up the common fund, such as for the building or repairing of the Workhouse, the payment of the Officers of the Union, and the other expenses to be incurred for the common use or the common account of all the Parishes; and, fourthly he is to estimate and divide amongst the Parishes any "Extraordinary Charges" to which the Union may be liable in the coming half-year. We think that the "Extraordinary Charges" in the 81st Article are lawful charges other than the ordinary ones, and for which the Parishes of the Union are bound by law to provide by the rates, in order to comply with and give obedience to the Orders of the Guardians directed by the 82nd Article, such as any charges especially imposed upon the rates for the payment of debts and the interest of debts or otherwise, and other charges for which a rate cannot be lawfully made. For instance, in the abstract of the items which make up the sum of £61,430 (the amount to be raised by rate on all the Parishes of

the Union), the first is £2336. 15s. 9d. due to the butcher for meat supplied from the 24th June, 1856, to the 27th of December, 1856; and altogether there are items amounting to £23,000 for debts due to tradesmen at Christmas, 1856.

We have already stated that in our judgment a poor-rate cannot be lawfully made in 1857 to pay these debts, and we therefore think they are not extraordinary charges within the true meaning of the 81st Article, and in this we differ from the Court of Queen's Bench.

The 82nd Article seems to us to confirm our view upon this point. By it the Guardians are directed to make the Order upon the proper authorities of the Parish for the payment of such sum as may be required for the relief of the poor for the contribution of the Parish to the common fund of the Union, or for any other expenses chargeable by the Guardians on the Parish that is legally chargeable; and, as we have already said, we think past debts are not so chargeable, and therefore could not be lawfully included in the amount upon which the Order of the 17th of February, 1857, was founded.

For these reasons we are of opinion that the aggregate sum of £61,430 imposed upon the entire Union (of which the sum of £2800 ordered to be paid by the Parish of St. Stephen, Coleman Street, was an aliquot part) was excessive, and, according to the case of *Farlar v. Chesterton*, the entire Order was thereby rendered illegal.

The Order is to pay an entire sum of £2800. The Parish authorities have no means of apportioning it.

Another argument also was addressed to us, to which much consideration is due. It was argued that, whatever the law might have been before the new Poor Law Act, the matter was now altered. Before then the Overseers of the Poor were not a Corporation, and if they thought fit to contract debts they were personally liable, and must themselves take the consequence; but that now the Guardians of the Poor are Corporations by virtue of the 5 & 6 Wm. IV. c. 69, s. 7, and were enabled to have and hold property, both real and personal, by virtue of the 5 & 6 Viet. c. 57, s. 16; that if their creditors sue them and obtain judgment, they can take the property of the Corporation in execution, and sell it, which must be replaced by other property purchased by funds obtained from prospective rates; that this might go on from time to time by successive executions upon successively acquired property until the entire debt of

£27,200 was levied ; and that it would be therefore preferable to permit a rate to be made at once for the payment of these debts than have them levied by successive executions, probably extending over many years.

We are not insensible to this argument, and if the legal consequences be as surmised, there would undoubtedly be a very great evil. But we do not think that this, however great, would justify a Court of Law in departing from the construction of the statute of Elizabeth, which has been acted upon for upwards of 200 years. It is for the Legislature, and not a Court of Law, to provide the remedy, if one be required. But the evil is not altogether on one side,—there is possibly one quite as great on the other. If the judgment of the Court of Queen's Bench be correct, the consequences would be that all Boards of Guardians in the kingdom might contract debts to any amount, and extending over any number of years (in the present case the debt for butcher's meat alone is £2336, and for bread and flour £3219); and if these officers and servants who were entrusted with money wherewith to pay them then embezzled it, it would be competent for the Guardians to make Orders upon the Parishes and compel the ratepayers who had already provided for the purpose to pay a second time ; and not merely this, but compel individuals who were not liable at all nevertheless to provide funds and pay for the support and maintenance of poor for whom they were not by law liable to provide.

This would be the inevitable consequences of the judgment of the Court of Queen's Bench, and the portions of the case above set out in asterisks exemplified it. It was said that upon a judgment being obtained against the Guardians, the Court of Queen's Bench would by *mandamus* compel the making a rate to pay it. We apprehend this is not so. The party obtaining the judgment would be left to the ordinary executions ; and, if we are right in our view, the Court of Queen's Bench has no power to do so. It has no power to order the making an illegal rate.

We wish it to be distinctly understood, that in this judgment we express no opinion as to the liability of the Board of Guardians to actions at the suit of the tradesmen, or that their property may be taken in execution upon judgments obtained against them.

Another objection was taken by the learned counsel for the Parish of St. Stephen, Coleman Street, which is also entitled to much consideration. The Collector, however, was appointed by

the Guardians, who no doubt represent the entire Union ; but by an Order of the Poor Law Board, dated 16th March, 1854, Article 6, page 398 of GLEN's Orders, the Collector is every week to pay the money collected by him to the bankers whom the Overseers may direct, to be placed to their account ; or, if directed by one of the Overseers, to the Treasurer of the Guardians in payment of any Order from such Guardians then due ; or, in the absence of any such direction, shall pay the sum to one of the Overseers in person ; and in the event of the Collector having at any time in the course of any week £50 in his hands, he is to pay it over forthwith as above directed.

It is stated in the case that Manini was ordered by the Guardians to pay the amount collected by him to the Treasurer. This seems not to be in compliance with the above Order.

The objection taken was that it was the duty of the Overseers of the nine Parishes for which Manini was Collector to have taken care that Manini complied with the 6th Article of the Orders of the Poor Law Board of the 16th March, 1854, and that the loss consequent upon this default cannot lawfully be cast upon the other Parishes of the Union.

We think this objection is entitled to great weight ; but it becomes unnecessary to come to a decision on this point, as for the reasons before given we consider the Call or Order for the £2800 upon the Parish of Saint Stephen, Coleman Street, invalid and not enforceable ; and we cannot separate this good part from the bad, and as it is bad in part it is in our opinion bad altogether.

It is right to allude to some decisions of which the cases of the *King v. Carpenter*, 6 Adolphus & Ellis, 794, and the *Queen v. Read*, 13 Queen's Bench, 524, are instances. In the former case, under the authority of an Act of Parliament, a sum of money was borrowed and charged upon the poor-rates.

The Court of Queen's Bench issued a *mandamus*, ordering it to be paid. This no doubt was right. In fact, the Act of Parliament directly authorized a retrospective rate for the purpose of paying the debt. There are several cases of a similar kind to be found in the Reports. The case of the *Queen v. Read* arose on the disallowance by an Auditor of sums paid to an attorney for costs. We think that judgment substantially in accordance with ours. It is certainly no authority that a poor-rate can be made in 1857 for the payment of a butcher's bill contracted for the subsistence of the paupers in 1856, which is the real point in the present case.

It was urged that the proper tribunal before whom the objection to the Order was to be taken was the Auditor. We however think that upon the principle of the case of *Farlar v. Chesterton* (a) the Order was void *ab initio*.

The judgment of the Court of Queen's Bench must therefore be reversed; and in answer to the questions proposed in the case, we state—First, that the Call or Order of the 17th of February, 1857, is not valid or enforceable for the sum of £2800, or any portion of it;

Secondly, that the Parish Officers of St. Stephen, Coleman Street, are not liable or bound in law to pay this sum, or any portion of it, under this Order.

(a) In *Farlar v. Chesterton* (2 Moore's Privy Council Cases, 330), it was held, on appeal to the Judicial Committee and the Lords of the Privy Council, from the Arches Court of Canterbury, that a church-rate made avowedly larger than was necessary for the current year, for the purpose of enabling the Churchwardens to liquidate a debt incurred in former years, is excessive, and therefore illegal. Their Lordships said that where a rate upon the face of it purports to be, what it really ought to be, a rate for the expenses of the current year, but is made for a sum avowedly larger than is necessary for that purpose, with a view to enable the Churchwardens, out of the moneys levied, to pay off the debts incurred in former years, the rate becomes excessive, and therefore illegal, according to the principle laid down by Sir G. Lee in *Brettel v. Wilmot and King* (2 Lee's Rep. 548).—*W. C. G.*

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THE END.





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Publishers by Authority to the Poor Law Board,

AND TO

The Home Office for the Purposes of the Local Government
Act, 1858,

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	"	650	"	.	4	0	—		—	
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SCHED. A.

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1 to 10

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107	Book for entering Notices of Motions by the Board of Guardians	each, 8s.
108	Skeleton Sheets for Minutes of Board	per Quire, 3s.
109	Tradesman's Invoice Book for one Quarter	each, 1s.
110	Form of Comparative Statement, showing Increase and Decrease in In-Maintenance and Out-Relief	per Quire, 2s.
111	Annual Return of Lunatics	per Quire, 4s.
112	Form A.—Weekly Return to the Poor Law Inspector, for one, two, or three Workhouses	„ 2s.
113	Ditto, in Books for 1 year	each, 7s.
	Ditto, in Books for 2 years	„ 8s.
113 a	Ditto, Mr. Farnall's form	per Quire, 2s.
113 b	Ditto ditto	Books of 1 year, 7s.
		„ 2 years, 8s.

Plates for these Checks engraved to order, and printed on plain or tinted paper.

No. in Order.	Name and Description of Form.	Price.
FORMS FOR THE CLERK— <i>continued.</i>		
114	Foolscap Paper, with Heading } for Correspondence with Poor Law Board . . . }	per Quire, 1s. 6d.
	Ditto, with Copper-plate Head- } ing, to pattern (no charge for engraving plate) . . }	1 Ream, 25s.
	Post ditto ditto ditto .	1 Ream, 20s.
	Note ditto ditto ditto .	1 Ream, 12s. 6d.
115	Book for Entry of Contracts .	each, 8s.
116	Book for Entry of Loans to } Paupers . . . }	„ 6s.
117	Statement of Medical Officer's } and Schoolmaster's & School- mistress's Salaries . . }	per Quire, 3s.
118	Notice, Insane Person found .	per 100, 4s.
119	Ditto, Child found . . .	„ 4s.
120	Blotting Cases, quarto . .	each, 2s. 6d.
120 a	Ditto, foolscap . . .	„ 3s. 6d.
120 b	Ditto, demy . . .	„ 5s.
121	Pocket Ledgers, in coloured calf, } grained . . . }	5s., with clasp 6d. extra.
122	Minute Book, for entering the } Particulars of Out - Relief, granted to able-bodied Paupers }	each, 8s.
123	Irremoveable Poor.—Form of Joint Statement of a Case to be submitted to the Decision of the Poor Law Board, under 11 & 12 Vict. c. 110, s. 4 .	per Quire, 3s.
123 *	Form of Agreement submitting Case to Poor Law Board by Churchwardens and Overseers 14 & 15 Vict. c. 105, s. 12 .	
124	Union Clerk's Registry of Bas- } tardy Orders, with Index . }	each, 7s.
125	Ledger, with Index, rough calf, for keeping the Account of Non-resident and Non-settled Poor, with full Instructions for filling up the same .	5 Quires, 1l. 11s. 6d.
125 a	Ditto, ditto, half-Basil, extra .	3 Quires, 16s.

No. in Order.	Name and Description of Form.	Price.
FORMS FOR THE CLERK— <i>continued.</i>		
126	Clerk's Quarterly Statement of Non-resident Poor, with Instructions for filling up the same	per Quire, each, 2s.
127	Ditto, of Non-settled Poor, with Instructions for filling up the same	
128	Notice to Guardians of Pauper chargeable, and requesting Authority to relieve . . .	
129	Guardians' Request to relieve their Non-resident Poor . .	
130	Clerk's Quarterly Bill, for transmission by post, of Relief to Non-settled Poor	Books of $\begin{cases} 1 \text{ Quire, } 7s. 6d. \\ 2 \text{ " } 10s. \\ 3 \text{ " } 13s. \end{cases}$
131	Preparatory Form for making Annual Return to Poor Law Board	
	Ditto, in sheets	
132	Clerk's Weekly Return of Indoor and Out-door Paupers for each Week of the Quarter	per Quire, 3s. Books for 2 yrs, 8s.
133	Blank Forms to be filled up in Cases of Application for Union or other Appointments. In sheets	per Quire (48), 3s.
134	Form for calculating the Contribution to be paid by the Overseers of any Parish towards the Poor, Union, and other Charges, for the half-year ending—	per Quire, 3s. Books of $\begin{cases} 1 \text{ qr., } 5s. \\ 2 \text{ qr., } 7s. \\ 3 \text{ qr., } 8s. 6d. \end{cases}$
ENVELOPES.		
135	Folio, for one Letter to Poor Law Board, engraved	100, 5s.; 500, 20s.
136	Ditto, for several Letters to Poor Law Board engraved	100, 6s.; 500, 25s.
137	Folio for one Letter to Poor Law Inspector, engraved . . .	100, 5s.; 500, 20s.

No. in Order.	Name and Description of Form.	Price.
ENVELOPES— <i>continued.</i>		
138	Extra large, plain (Cartridge) .	100, 5s. 6d.; 500, 25s.
139	Folio, for one Letter to Registrar-General . . . }	4s. }
140	Folio, for several Letters to Registrar-General . . . }	5s. }
141	Note or Letter, plain, various sizes . . . }	9d., 1s. }
142	Folio, for foolscap, plain . .	2s. 6d. }
per 100.		

ENVELOPES.—Any of the above Envelopes, with impressions from Union or other Seals, in Cameo or Relief, and of any colour, may be had at a slight advance upon the above prices.

IMPRESSIONS FROM SEALS OR DIES:

Upon gummed coloured paper . . .	1s. 6d. per 100
In Cameo, white letters on coloured ground . .	2s. „
In Relief, coloured letters on white ground . .	3s. „

Forms of Notices for Meeting.

143	Requisition for a Meeting. F. . . }	per Quire, each, 1s. 3d.
144	Notice, change of Time, Place, etc., of Meeting. G. . . }	
145	Notice of Adjourned ditto. H. . . }	
146	Notice of Extraordinary ditto. I. . . }	

Forms required under the Acts 5 & 6 W. iv. c. 69, and 5 & 6 Vict. c. 18, relative to the **Sale of Parish Property.**

147	Request of Parish Officers to the Guardians . . . }	Single Forms, per dozen, 1s.
148	Request of the Guardians to Poor Law Board . . . }	
149	Enquiries from Poor Law Board, with Blanks . . . }	Double Forms, per dozen, 1s. 6d.
150	Declaration of Possessory Title . . . }	

No. in Order.	Name and Description of Form.	Price.
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FORMS RELATIVE TO SALE OF PARISH PROPERTY
continued.

151	Order for Meeting	Single Forms, per dozen, 1s.
152	Notice of Meeting	
153	Resolution	
154	Certificate of Ministers, etc. .	
155	Directions for Sale	
156	Order for Sale	Double Forms, per dozen, 1s. 6d.
157	Conditions of Sale	
159	Notice of Meeting to Consent to Liquidation of Parish Debt	
160	Ditto, with Resolution of Parish Meeting	
161	Notice of Meeting (5 & 6 Vic. c. 18)	
162	Ditto, with Resolution and Cer- tificate	each Sheet 6d.
163	Deed—Transfer of Parish Pro- perty of Copyhold Tenury . }	
164	Ditto, Freehold and Leaschold . }	

Forms relative to Emigration.

165	Notice of Meeting	per dozen, 1s.
166	Notice of Meeting	One Sheet } " 2s.
167	Resolution for raising Money	
168	Ditto, for borrowing	
169	Certificate to Poor Law Board	
170	Resolution of the Guardians in a Union, in regard to Poor Persons having Settlements, with List of Emigrants (12 & 13 Vict. c. 103, s. 20) .	" 2s.
170 a	Ditto ditto Parish, under a Board of Guardians, with List of Emigrants	

No. in Order.	Name and Description of Form.	Price.
FORMS RELATIVE TO EMIGRATION— <i>continued.</i>		
170 <i>b</i>	Resolution of the Guardians in regard to Irremovable Poor, with List of Emigrants (9 & 10 Vict. c. 66)	per dozen, 2 <i>s</i> .
170 <i>c</i>	Letter to the Poor Law Board, to accompany the above	
Forms relative to Apprentices.		
173	Register of Apprentices	each, 8 <i>s</i> .
173 <i>a</i>	Register of Young Persons taken or hired as Servants or Apprentices from Workhouses (s. 3), with Index	Books of { 1 qr., 5 <i>s</i> . 2 qr., 6 <i>s</i> . 6 <i>d</i> .
173 <i>b</i>	Notice to other Parishes or Unions of the Removal of Young Persons (s. 5)	
173 <i>c</i>	Register of Notices of Servants and Apprentices received from other Unions or Parishes (s. 5) with Index	Books of { 1 qr., 5 <i>s</i> . 2 qr., 6 <i>s</i> . 6 <i>d</i> .
173 <i>d</i>	Reports of Visits made to Servants and Apprentices (ss. 4 & 5), with Index	
174	Indenture of Apprenticeship, in accordance with the General Order for Regulating the Binding of Apprentices	Paper, each, 6 <i>d</i> .
	Ditto, ditto	Parchment, each, 2 <i>s</i> .
175	Certificates and Proposals to be filled up, preparatory to binding, under the New Apprentice Order	per Quire, 3 <i>s</i> .
176	Sea Service Parish Indenture, under 7 & 8 Vict. c. 112, s. 32, and 14 Vict. c. 93 s. 20	Parchment, 1 <i>s</i> . 6 <i>d</i> .
177	Notice before binding Apprentice	per Quire, each, 1 <i>s</i> . 6 <i>d</i> .
178	Notice after binding Apprentice	

No. in Order.	Name and Description of Form.	Price.
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Vaccination Books and Forms.

s. d.

179	Summary of Returns for each Month for the Quarter ending —, reported by Vaccinators and Registrars of Births, etc., improved Form, shewing the Number Vaccinated, the successful Vaccinations, the Names of the Parishes in each District, and the Amount of Fees charged to each Parish, books of 2 quires, each	10 0
180	Vaccination Acts, 3 & 4 Vict. c. 29, 4 & 5 Vict. c. 32, and 16 & 17 Vict. c. 100, in books, each	0 6
181	New Form of Notification, large Placard for Posting, prepared by Thos. Austin, Esq., of the Poor Law Board per 100	6 0
182	Ditto, small ditto for Circulation . . . per 100	2 6
183	Contract for Vaccination (for Unions), per quire	6 0
183 a	Ditto for Parish not in Union . . . per quire	6 0
184	Register of Cases of Vaccination, in Books of 2 quires each	4 0
185	Monthly Return of Vaccination Cases (New Form), per quire	2 6
186	Medical Certificate of Successful Vaccination, Schedule A, s. 4, in Books of 100 leaves, each	1 6
187	Duplicate ditto, ditto, in Books of 100 leaves, each	2 0
188	Quarterly Account of Vaccination Fees due to Medical Officer per quire	2 0
189	Medical Certificate of Unfitness for Successful Vaccination, Schedule B, s. 5, in Books of 50 leaves each	1 6
190	Ditto of Insusceptibility to receive the Vaccine Disease, Schedule D, s. 7, in Books of 50 leaves, each	1 6
190 a	Statement of Fees due to the District Registrar for Vaccination for the Quarter ending —, per quire	1 6
190 b	Notice of the Requirement of Vaccination, per 100	6 0

No. in Order.	Name and Description of Form.	Price.
Books and Forms required by the Registration Officers.		
190 c	Superintendent Registrar's Claim for Fees upon Entries in the certified Copies, for the Quarter ending — per quire	s. d. 2 0
192	B.—Account of Returns made to Registrar-General for the Quarter ending —, half-sheet foolscap, per quire	2 0
193	C.—Return of District Registrar to Superintendent Registrar of the Number of Births and Deaths, half-sheet foolscap per quire	2 0
193 a	Ditto, large size per quire	4 0
194	D.—Return of Superintendent Registrar of every Licence granted by him, half-sheet foolscap, per quire	2 0
194 a	Ditto, in Books of 2 quires each	8 0
195	E.—Account of Expenses due to the District Registrar for the Quarter ending—, half-sheet foolscap per quire	2 0
196	F.—Letters to Registrar-General to accompany the Returns of Births, Deaths, and Marriages, each, per quire	2 0
197	G.—Extra large Covers to Registrar-General: Births, Deaths, and Marriages, 26 in. by 20, each, per quire	3 6
198	Index Books to Registrars of (600 { Births . Deaths . Entries) { Marriages .	1 3 1 3 1 9
The above may be had, with the Index cut through, at an extra charge of 1s. for each Book.		

The Index Books may also be had printed on foolscap, and bound in green forril extra, and lettered:—

	5,000 Entries.			10,000 Entries.			15,000 Entries.			20,000 Entries.		
	<i>s.</i>	<i>d.</i>		<i>s.</i>	<i>d.</i>		<i>s.</i>	<i>d.</i>		<i>s.</i>	<i>d.</i>	
Births	10	6	.	16	0	.	21	0	.	25	0	
Deaths	10	6	.	16	0	.	21	0	.	25	0	
Marriages	16	0	.	25	0	.	—		.	—		

* * The above may be had, with an Alphabet cut, throughout to order, at an extra charge of 4s. 6d. for each Book.

No. in Order.	Name and Description of Form.	Price.
BOOKS AND FORMS REQUIRED BY REGISTRATION OFFICERS— <i>continued.</i>		
199	Certificate Books of { Births . Deaths . Marriages .	s. d. 1 3 1 3 1 3
200	Envelopes addressed to Registrar-General, for a sheet foolscap per 100 }	4 0
200 a	Ditto ditto, for several sheets ,	5 0
201	Instructional Letter, as to Payments for Registration of Births, Deaths, etc. each }	0 2
202	Book for Entry of Registration Office Disbursements, etc., foolscap each }	8 0
203	Ditto ditto Fees ,	8 0
	Superintendent's Certificates for Marriages without License, in Books of 100 each }	5 0
	Notice of Birth in the Workhouse per 100	3 6
	Notice of Death in the Workhouse ,	3 6

REGISTER AND CERTIFICATE BOOKS FOR CHURCHES AND CHAPELS.

			Printed on writing vellum, bound rough calf, lettered, with clasps.		
			Forrill.	Calf.	
Register of Baptisms	The folios and Nos. printed throughout.	800 Entries	13s.	21s.	50s.
Register of Burials .		1600 "	19s.	27s.	75s.
Register of Banns of		2400 "	25s.	33s.	100s.
Marriages . . .		3200 "	32s.	40s.	125s.
		4000 "	39s.	46s.	
Certificate Book of Baptisms, 100 Certificates each					s. d. 5 0
Ditto ditto Burials, 100 Certificates ,					5 0
Ditto ditto Marriages, 100 Certificates ,					5 0
Banns of Marriage Books, printed on extra thick laid demy 4to., bound in calf, and lettered					
				300 Entries	7 0
				600 "	12 0
				1000 "	18 0

No. in Order.	Name and Description of Form.	Price.
Election of Guardians under General Consolidated Order,		
DATED JULY 24TH, 1847.		
		<i>s. d.</i>
204	Owner's Statement. A. per 100	2 6
205	Appointment of Proxy. B. per 100	2 6
206	Proxy's Statement. C. per 100	2 6
207	Registry of Owners and Proxies, in Books. D.	500 Entries 3 0
		1000 " 4 0
		1500 " 5 0
		2000 " 6 0
		3000 " 8 0
	Ditto, in sheets per quire	3 6
208	Notice of Election, sheet foolscap, large placard, A. } per 100 }	6 0
	Ditto, filled up to pattern, with Name of Union, Parishes, Number of Guardians, etc.	
209	Ditto, half-sheet foolscap, small size, A. . per 100	3 6
	Ditto, filled up to pattern, with Name of Union, Parishes, Number of Guardians, etc.	
210	Nomination Paper. B. per 100	2 6
211	Voting Paper. C. per 100	3 0
212	Notice to Guardians Elected. D. . . per 100	5 0
213	Return of Guardians Elected, placard. E. per 100	6 0
	Ditto, filled up to pattern, with Names of Persons proposed, Residences, Quality or Calling, etc.	
214	Poll Books for entering the Voting Papers, each	2 0
215	Collectors of Voting Papers' Book . . each	0 8
216	Book for entering Qualification of Voters . each	4 0
217	Notice of Objection by Owner to Claimant, per 100	2 6
218	Ditto, ditto, to Clerk per 100	2 6
219	Notice of Objection by Rate-payers to Claimant } per 100 }	2 6
220	Ditto, ditto, to Clerk per 100	2 6

No. in Order.	Name and Description of Form.	Price.
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ELECTION OF GUARDIANS UNDER GENERAL CONSOLIDATED ORDER—*continued.*

221	Notice to Owners and Rate-payers relative to Voting per 25	s. d. 1 0
222	Union Clerk's Notice of Revision per 25	1 0

FORMS FOR THE TREASURER.

223	Treasurer's Receipt and Payment Book . each	7 0
224	" Pass Book each	4 6
225	" Receipt Books of 100	1 0
226	" Receipt for County Rates „ 100	1 0

UNION SCHOOL JOURNALS.

226 a	School Admission and Discharge Books, with Index (Boys)	1 quire each 2 quires „ 3 quires „	6 0 7 6 9 6
226 b	Ditto ditto (Girls)	1 quire each 2 quires „ 3 quires „	6 0 7 6 9 6
226 c	School Attendance Book (Boys)	1 quire each 2 quires „ 3 quires „	5 0 6 6 8 6
226 d	Ditto ditto (Girls)	1 quire each 2 quires „ 3 quires „	5 0 6 6 8 6
235	The Schoolmaster's Journal, and Weekly and Quarterly Report Book, for one year, by John Dallenger, Esq.	10 6	
236	The Schoolmistress's ditto, for ditto	10 6	

Forms under the District School Order.

Printed to Pattern.

236 a	Requisition for a Meeting. A.	} per Quire.
236 b	Notice, Change of Time, Place of Meeting. B.	
236 c	Notice of Adjourned Meeting. C.	
236 d	Notice of Extraordinary Meeting. D.	
236 e	Orders for Contribution. E.	

No. in Order.	Name and Description of Form.	Price.
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FORMS UNDER THE DISTRICT SCHOOL ORDER—*continued.***Clerk's Forms.**

236 <i>f</i>	Minute Book, 5 quires demy, with Index	
236 <i>g</i>	The General Ledger, 5 quires superfine extra thick } paper, rough calf }	
236 <i>h</i>	Union Ledger Account, 5 quires superfine extra } thick paper, rough calf }	
236 <i>i</i>	The General and Union Ledger Account, in one, } 5 quires superfine extra thick paper, rough calf }	
236 <i>k</i>	Order Check Book, in books of 100	
236 <i>l</i>	Statistical Statement, per quire	
	Ditto, in Books of 1 quire	
236 <i>m</i>	Financial Statement, per quire	
	Ditto, in Books of 1 quire	
236 <i>n</i>	Union List and Statement of Account, per quire	

Superintendent's Forms.

236 <i>o</i>	Inventory Book, in books of 2 quires	
236 <i>p</i>	Admission and Discharge Book, in books of 3 quires	
236 <i>q</i>	District School List and Abstract, in books of 3 } quires }	
236 <i>r</i>	Superintendent's Day Book, in books of 3 quires	
236 <i>s</i>	Daily Provisions Consumption Account, for one } year, with Weekly Summary }	
236 <i>t</i>	Weekly Provisions Receipt and Consumption Book, } with Balance and Summary, in books for one }	
	year }	
236 <i>u</i>	Clothing Materials Receipt and Conversion Book, } in books of 3 quires each }	
236 <i>w</i>	Clothing Receipt and Expenditure Book, in books } of 3 quires each }	
236 <i>x</i>	Clothing Register Book, in books of 3 quires each	

No. in Order.	Name and Description of Form.	Price.
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Forms relating to Mendicancy.

		s.	d.
237	Regulations for the Suppression of Mendicancy, } per quire }	3	6
238	Circular to Rate-payers per 100	6	0
239	Tickets for Relief per 1000	8	0
240	Notice to Wayfarers per 100	4	0
241	Examination Papers per quire	2	0
242	Book for entry of Tickets received and issued .	6	0

Forms under the Parochial Assessment Act.

243	Circular to Guardians on the Parochial Assessment } Act each }	0	3
244	Book for entering the Valuation of { Messuages, Lands, etc. { 1 quire 2 quires 3 quires	7 10 12	6 0 0
245	Contract for Survey, Plan and Valuation, per quire	6	0
246	Ditto, ditto, No. 2 per quire	6	0
247	Ditto, ditto, for Valuation without Plan . per quire	6	0
248	Memorandum, Contract for Survey, etc. per quire	2	0
249	Circular relative to Expenses for Valuations, Maps, } etc. each }	0	3

FORMS FOR THE AUDITOR,

250	Statement with reference to Books kept by Union } Officers, (Schedule E. No. 38) . . . per quire }	3	6
251	Ditto, Officers' Bonds (ditto 39) . . . per quire	2	6
252	Auditor's Notice of Audit . . . per quire (48)	3	0

No. in Order.	Name and Description of Form.	Price.
BONDS AND CONTRACTS.		
1	Contract for Supplying Provisions or Providing Clothing for the Poor or Workhouse	
2	Contractor's Bond, Securities	
3	Contract for Building, Altering, or Enlarging Workhouse	
5	Workhouse Master's Bond	
6	Workhouse Matron's Bond	
7	Workhouse Medical Officer's Contract	
8	District Medical Officer's Contract, at an Annual Salary	per Quire, 6s.
9	District Medical Officer's Contract, at a Salary calculated per head	or separately, 4d. each.
10	Treasurer's Bond	
11	Relieving Officer's Bond	
12	Collecting Officer's Bond	
13	Contract for Building Workhouse—Charge on Rates	
14	Ditto, Altering or Enlarging ditto, ditto	
15	Deed: Charge on Rates, "Union to Parish"	
16	Bond for Assistant Overseers, with Appointment and Instructions	each Set, 1s.
17	Bond for Assistant Overseer and Collector, in one, with ditto	each Set, 1s.
18	Clerk's Bond	each, 6d.

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Church-Rate Book, half-bound, one Quire 4to. 4s. ; two Quires, 6s. ; three Quires, 7s. 6d.

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Highway-Rate Book, half-bound, one Quire 4to. 4s. ; two Quires, 6s. ; three Quires, 7s. 6d.

Highway-Rate Receipt Check Book, of 100, 1s. ; 200, 2s.

Highway Surveyor's Account Book—for One Year, 10s. 6d.

Churchwarden's Guide, 1s.

Highway Surveyor's Guide, 1s.

Notices of Parish Meetings.

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1. Notice for calling a Meeting to make a Rate for the Relief of the Poor, in Books containing 50 each, 2s. 3d., or 100 each, 4s.
2. Notice of Magistrates' Allowance of a Poor Rate at in the £, in Books containing 50 each, 2s. 3d., or 100 each, 4s.
3. Notice of Vestry Meeting, in Books containing 50 each, 2s. 3d., or 100 each, 4s.

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WORKHOUSE PROVISION BOOKS,

Forms (C.) 25 & 26; 27, 28 & 29.

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FOR

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at the reduced prices at which they are supplied to the Committee of
Council on Education, as stated in the Circular issued by the Poor Law
Board to Clerks of Unions, dated 25th January, 1849. Applications
for the Publications should be sent to the Poor Law Board, by whom
they will be forwarded to KNIGHT & COMPANY for execution.

Forms of Application may be procured from the Poor Law Board,
or at 90, Fleet Street.





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WITH

The Statutes and the Public Health Act, 1858.

BY

WILLIAM CUNNINGHAM GLEN,

BARRISTER-AT-LAW, AND OF THE POOR LAW BOARD.

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